

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIE J. SMITH, JR.,
Appellant,
vs.
PHILIP J. KOHN,
Respondent.

No. 46187

FILED

DEC 06 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

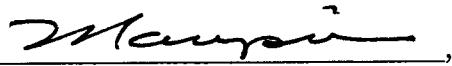
This is a proper person appeal apparently challenging a district court's oral dismissal of appellant's appeal from a justice's court order. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

We note first that no appeal may be taken from a district court's oral ruling.¹ Moreover, we conclude that we lack jurisdiction over this appeal because district courts have final appellate jurisdiction over

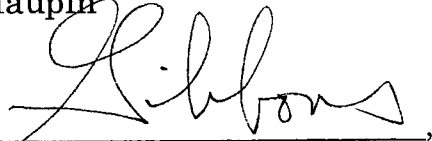
¹Rust v. Clark Cty. School District, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (noting that only a written judgment has any effect, and thus, only a written judgment may be appealed).

cases arising in the justice's courts.² Accordingly, as this court lacks jurisdiction over this appeal, we

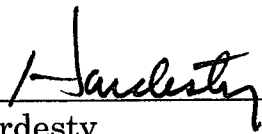
ORDER this appeal DISMISSED.³


_____, J.

Maupin


_____, J.

Gibbons


_____, J.

Hardesty

cc: Hon. Kathy A. Hardcastle, District Judge
Willie J. Smith Jr.
Clark County Public Defender Philip J. Kohn
Clark County Clerk

²Nev. Const. art. 6, § 6; see also Wagh v. Casazza, 85 Nev. 520, 521, 458 P.2d 359, 360 (1969) (noting that “[t]he district court has final appellate jurisdiction in cases arising in the justice’s court”).

³We note that appellant’s failure to pay the filing fee or file a proper motion to proceed in forma pauperis in the district court as required by NRAP 24(a) could constitute an independent basis for the dismissal of this appeal. Additionally, in light of this order, we deny as moot all motions currently pending in this appeal.