

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH WELDON SMITH,
Appellant,
vs.
CRISTINA A. HINDS,
Respondent.

No. 46429

FILED

MAR 28 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

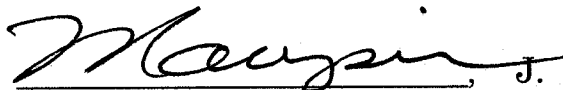
ORDER DISMISSING APPEAL

This is a proper person appeal from a district court's oral ruling granting respondent's motion for judgment on the pleadings. Eighth Judicial District Court, Clark County; Mark R. Denton, Judge.

Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. Specifically, it does not appear that the district court has entered a written order memorializing the ruling challenged in this appeal. No appeal may be

taken from a district court's oral ruling.¹ Accordingly, we conclude that we lack jurisdiction over this appeal, and we

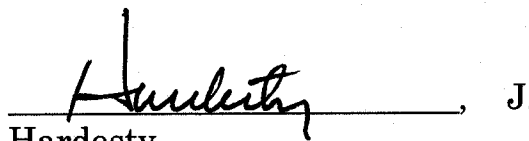
ORDER this appeal DISMISSED.²



Maupin



Gibbons



Hardesty

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).

²We note that appellant's failure to pay the filing fee or demonstrate that 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, appellant's notice of appeal was filed in this court on December 15, 2005. As noted in the instructions accompanying the documents mailed on that day to appellant as part of the pilot program for proper person civil appeals, appellant was required to file his appeal statement within forty days. See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005), Exhibit A (Instructions for Civil Litigants Without Attorneys). The instructions further explained that if appellant failed to file the appeal statement by that date, this court would dismiss the appeal. Id. Appellant has not filed the appeal statement. Consequently, his failure to do so constitutes another independent basis for dismissal.

cc: Hon. Mark R. Denton, District Judge
Joseph Weldon Smith
Law Offices of Cristina Hinds, Esq.
Clark County Clerk