IN THE SUPREME COURT OF THE STATE OF NEVADA

KELLY A. LUJAN,
Appellant,
  vs.
RUBEN H. LUJAN,
Respondent.

No. 53305

**FILED**

JUN 10 2009

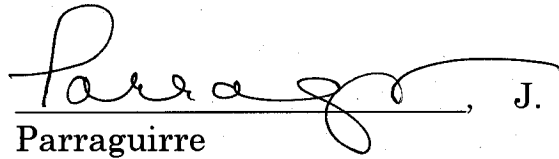TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
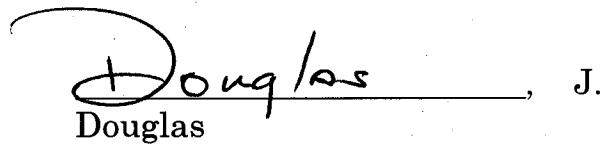BY
    DEPUTY CLERK

## ORDER DISMISSING APPEAL

This is a proper person appeal from an order modifying child custody and child support. Eighth Judicial District Court, Family Court Division, Clark County; Steven E. Jones, Judge.
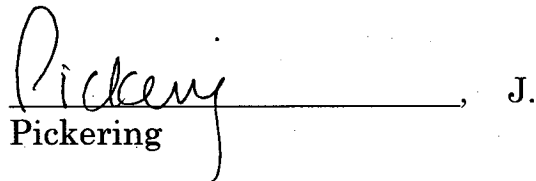
Appellant's notice of appeal was filed in this court on February 20, 2009. When the notice of appeal was filed, appellant was mailed a civil proper person appeal statement and other documents, as part of the pilot program for proper person civil appeals. See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005). See also ADKT No. 385 (Order Extending Pilot Program for Civil Proper Person Appeals, May 10, 2006) (extending the pilot program for civil appeals, which was scheduled to conclude on June 13, 2006, until further order of this court). As noted in the instructions accompanying the documents mailed to appellant, she was required to file her appeal statement within 40 days from the date her appeal was filed in this court. 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.

09-14431

Appellant's appeal statement was due on April 1, 2009.[1]  To date, appellant has not filed an appeal statement or otherwise responded to this court's directive.  Accordingly, we

ORDER this appeal DISMISSED.

_____, J.
Parraguirre

_____, J.
Douglas

_____, J.
Pickering

cc:    Hon. Steven E. Jones, District Judge, Family Court Division
       Kelly A. Lujan
       Ruben H. Lujan
       Eighth District Court Clerk

_____

[1]On February 20, 2009, and again on March 18, 2009, this court directed appellant to pay the filing fee.  Failure to pay the fee could constitute an independent basis for dismissal.