

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARIO LINO,  
Appellant,  
vs.  
KELLY V. LINO,  
Respondent.

No. 54250

FILED

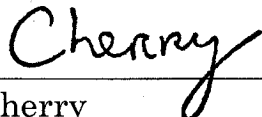
SEP 03 2009

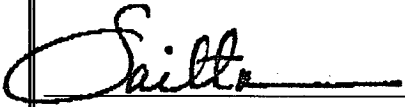
TRACIE W. LINDEMAN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK


ORDER DISMISSING APPEAL

In this proper person appeal, appellant seeks to challenge the district court's oral ruling granting summary judgment in the underlying case. No appeal may be taken, however, from a district court's oral ruling. Rust v. Clark Cty. School District, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987). Only a final written judgment has any effect, and thus, only a written judgment may be appealed. Id. Accordingly, as we lack jurisdiction over this appeal, we

ORDER this appeal DISMISSED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Bryce C. Duckworth, District Judge, Family Court Division  
Mario Lino  
Kelly V. Lino  
Eighth District Court Clerk

<sup>1</sup>Appellant's August 5, 2009, application for a fee waiver is improper under NRAP 24. His failure to pay the filing fee constitutes an independent basis to deny the appeal.