

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN FLOYD VOSS,
Appellant,

vs.

CORRECTIONS OFFICERS ADAM
VALESTER, PHILIP DICKERMAN,
AND RONALD MULLINS; LOVELOCK
CORRECTIONAL CENTER; AND
NEVADA DEPARTMENT OF
CORRECTIONS,
Respondents.

No. 57174

FILED

JUL 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court partial summary judgment and partial dismissal for lack of jurisdiction of a tort action. Sixth Judicial District Court, Pershing County; Michael Montero, Judge.

After the district court's judgment was entered, but before filing the notice of appeal, appellant filed a motion for amendment of the judgment pursuant to NRCP 59. This motion tolled the time to appeal. NRAP 4(a)(4). Because the motion has not been resolved by the district court, we conclude that appellant's notice of appeal is premature and we therefore lack jurisdiction. NRAP 4(a)(6). Any aggrieved party may file a notice of appeal after the NRCP 59 motion is resolved. NRAP 4(a)(4). Accordingly, we

ORDER this appeal DISMISSED.

Douglas, C.J.
Douglas

Saitta, J.
Saitta

Hardesty, J.
Hardesty

cc: Hon. Michael Montero, District Judge
Steven Floyd Voss
Attorney General/Carson City
Pershing County Clerk