

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID M. FROSTICK,
Appellant,
vs.
ANDREA LUEM; AND PHILIP J.
KOHN,
Respondents.

No. 59395

FILED

JUL 01 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK


ORDER DISMISSING APPEAL


This is a proper person appeal from a district court order statistically closing a civil rights action. Eighth Judicial District Court, Clark County; Abbi Silver, Judge.

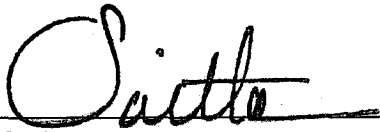
Our review of this appeal reveals a jurisdictional defect. Appellant seeks to challenge a district court order directing the district court clerk to statistically close the underlying case, with the basis for the statistical closure denominated as "Involuntary (statutory) Dismissal NRCP 4(i)." As noted in *Brown v. MHC Stagecoach, LLC*, 129 Nev. ___, ___ P.3d ___ (Adv. Op. No. 37, May 30, 2013), which addressed a largely identical statistical closure order, such orders do not dismiss or otherwise resolve a pending district court case, but merely direct the district court clerk to statistically close the case. Thus, such statistical closure orders do not constitute final, appealable judgments as contemplated by NRAP 3A(b). *Id.* Because it does not appear that a final, appealable judgment has otherwise been entered below, see *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (noting that a final order or judgment must "dispose[] of all the issues presented in the case, and leave[] nothing for the future consideration of the court, except for post-judgment issues such

as attorney's fees and costs"), this appeal is premature and we therefore lack jurisdiction to consider this appeal. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Abbi Silver, District Judge
David M. Frostick
Clark County Public Defender
Eighth District Court Clerk