

IN THE SUPREME COURT OF THE STATE OF NEVADA

LISA S. MYERS,
Appellant,
vs.
CALEB O. HASKINS,
Respondent.

No. 59916

FILED

FEB 14 2012

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

ORDER DISMISSING APPEAL

Appellant seeks to challenge a district court order refusing to extend a temporary protective order and indicating that the district court is inclined to grant certain other relief. As no statute or court rule authorizes an appeal from an order denying an extension of a protective order or an order indicating that the court is inclined to grant certain other relief, the challenged order is not substantively appealable. See NRAP 3A(b) (listing orders and judgments from which an appeal may be

taken); see also Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984). As we lack jurisdiction to consider this appeal, we
ORDER this appeal DISMISSED.¹

Cherry, J.
Cherry

Pickering, J.
Pickering

Hardesty, J.
Hardesty

cc: Hon. Bryce C. Duckworth, District Judge, Family Court Division
Lisa S. Myers
Roberts Stoffel Family Law Group
Eighth District Court Clerk

¹In light of this order, we deny as moot respondent's motion for temporary remand, in which he contends that the underlying proceedings are halted whenever appellant files a notice of appeal. We remind the parties and the district court that after a notice of appeal is filed, the district court retains jurisdiction to decide matters collateral to or independent from the issues on appeal, to enforce orders that are before this court on appeal, and to hold hearings concerning matters that are pending before this court. Foster v. Dingwall, 126 Nev. ___, ___, 228 P.3d 453, 455 (2010); Mack-Manley v. Manley, 122 Nev. 849, 855, 858, 138 P.3d 525, 531, 532 (2006) (providing that the district court has the authority to resolve matters that are collateral to and independent of the issues on appeal, "i.e., matters that in no way affect the appeal's merits," and explaining that a "district court has the power to enforce" its order being challenged on appeal). The district court is simply without jurisdiction to enter an order that modifies or affects the order being challenged on appeal. Foster, 126 Nev. at ___, 228 P.3d at 455.