

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM TIDMARSH,  
Appellant,  
vs.  
NYE COUNTY; NYE COUNTY LAW  
ENFORCEMENT ASSOCIATION; AND  
MR. WALTER F. KAUFMAN,  
ARBITRATOR,  
Respondents.

No. 60957

**FILED**

MAY 13 2013

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

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order dismissing a petition for judicial review in an employment matter. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

Our review of the record on appeal reveals a jurisdictional defect. Specifically, appellant filed an NRCP 59 tolling motion before filing his notice of appeal. See NRAP 4(a)(4)(D). As that motion has not been resolved by the district court, appellant's notice of appeal is premature. NRAP 4(a)(6). Therefore, because we lack jurisdiction over this appeal, we

ORDER this appeal DISMISSED.

*Gibbons*, J.  
Gibbons

*Douglas*, J.  
Douglas

*Saitta*, J.  
Saitta

cc: Hon. Kimberly A. Wanker, District Judge  
William Tidmarsh  
Nye County District Attorney  
Nye County Clerk