

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID M. FROSTICK,  
Appellant,  
vs.  
DREW CHRISTENSEN; STEVEN B.  
WOLFSON; AND PATRICK E.  
MCDONALD,  
Respondents.

No. 61867

**FILED**

JUL 01 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY A. Mahara  
DEPUTY CLERK

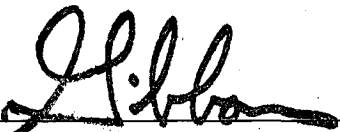
*ORDER DISMISSING APPEAL*

This is a proper person appeal from a district court order statistically closing a negligence action. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

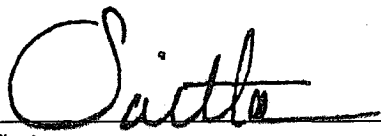
Our review of this appeal reveals a jurisdictional defect. Appellant seeks to challenge a district court order directing the district court clerk to statistically close the underlying case, with the basis for the statistical closure denominated as “Involuntary (statutory) Dismissal.” As noted in *Brown 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 it. Accordingly, we

ORDER this appeal DISMISSED.

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

  
\_\_\_\_\_, J.  
Douglas

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

cc: Hon. Kenneth C. Cory, District Judge  
David M. Frostick  
Drew R. Christensen  
Clark County District Attorney/Civil Division  
McDonald Adras LLC  
Eighth District Court Clerk