

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENARD TRUMAN POLK,
Appellant,
vs.
THE STATE OF NEVADA; PERSHING
COUNTY; BOARD OF PAROLE
COMMISSIONERS; CLARK COUNTY;
AND ROBERT LEGRAND,
Respondents.

No. 64723

FILED

JUN 09 2014

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 order dismissing a civil rights complaint. The documents transmitted to this court pursuant to NRAP 3(g) reveal that the order of dismissal at issue here was entered on September 20, 2013, and that a timely motion for reconsideration was filed on September 27, 2013. Based on the documents before us, it does not appear that this motion has been resolved by a formal written order. Accordingly, appellant's notice of appeal is premature and fails to confer jurisdiction on this court. See NRAP 4(a)(6); *AA Primo Builders, LLC v. Washington*, 126 Nev. ___, ___, 245 P.3d 1190, 1195 (2010) (holding that a timely, written, post-judgment motion for reconsideration that seeks a substantive change to the judgment tolls the time to file a notice of appeal until the entry of a written order granting or denying the motion). As a result, appellant's appeal must be dismissed. We note, however, that appellant, if aggrieved following the resolution of

his reconsideration motion, may file a new notice of appeal once a written order resolving the reconsideration motion is entered. See NRAP 4(a)(4).

It is so ORDERED.¹

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Michael Montero, District Judge
Renard Truman Polk
Attorney General/Carson City
Pershing County Clerk

¹In light of this order, we deny as moot appellant's February 19, 2014, motion for disqualification and/or petition for rehearing.