

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHERI M. KING,
Appellant,
vs.
TEDD A. MILLER,
Respondent.

No. 65042

FILED

MAY 06 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DISMISSING APPEAL
AND GRANTING MOTION FOR SANCTIONS*

Respondent has moved this court to dismiss as untimely this appeal from a district court order enforcing a prior order directing appellant to sign a quit claim deed pursuant to the parties' divorce decree. Respondent also seeks attorney fees and costs as NRAP 38 sanctions, in an unspecified amount. Appellant has not opposed the motion.

A certificate of service provides that the order's notice of entry was served by mail on November 19, 2013. Appellant's notice of appeal was filed more than 33 days later, on February 14, 2014. Accordingly, this appeal is untimely, NRAP 4(a)(1); NRAP 26(c), and we grant the motion to dismiss. Dismissal is also warranted because appellant failed to file the docketing statement as required, NRAP 14(c), and because the enforcement order does not appear to be substantively appealable. *See Gumm v. Mainor*, 118 Nev. 912, 59 P.3d 1220 (2002); *Burton v. Burton*, 99 Nev. 698, 669 P.2d 703 (1983); *see generally* 15B Charles Alan Wright, Arthur R. Miller & Edward H. Cooper, Federal Practice and Procedure § 3916 (2d ed. 1992 and Supp. 2013).

Appellant shall have 11 days from the date of this order to pay respondent \$100 in sanctions toward the attorney fees respondent

incurred with respect to the motion and to submit notice of the payment with this court. Failure to comply may result in the imposition of additional sanctions.

It is so ORDERED.

Pickering, J.
Pickering
Parraguirre, J.
Parraguirre
Saitta, J.
Saitta

cc: Hon. William B. Gonzalez, District Judge, Family Court Division
Cannon & Tannery
Radford J. Smith, Chtd.
Eighth District Court Clerk