

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER BERNEY,  
Appellant,  
vs.  
HAI YAN LIAO,  
Respondent.

No. 65967

**FILED**

AUG 19 2014

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

**ORDER DISMISSING APPEAL**

Our review of the documents before us on appeal reveals a jurisdictional defect. Before filing his notice of appeal from the underlying divorce decree, appellant filed a motion for reconsideration, which tolls the time for filing a notice of appeal from that decree. *See AA Primo Builders, LLC v. Washington*, 126 Nev. \_\_\_, \_\_\_, 245 P.3d 1190, 1192-93 (2010) (recognizing that a timely post-judgment motion for reconsideration that seeks a substantive change to the judgment tolls the time to file a notice of appeal). To date, this motion has not been resolved by the district court. As a result, appellant's notice of appeal is premature, *see* NRAP 4(a)(6), and fails to confer jurisdiction on this court. Accordingly, we order this appeal dismissed.

It is so ORDERED.<sup>1</sup>

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Cherry, J.  
Cherry

<sup>1</sup>In light of this order, we deny as moot all requests for relief pending in this appeal.

cc: Hon. Bill Henderson, District Judge, Family Court Division  
Peter Berney  
Hai Yan Liao  
Eighth District Court Clerk