

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAVONNE KOLENDER,
Appellant,
vs.
DENNIS KOLENDER,
Respondent.

No. 65702

LAVONNE KOLENDER,
Appellant,
vs.
DENNIS KOLENDER,
Respondent.

No. 66063 ✓

FILED

AUG 25 2014

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

ORDER DISMISSING APPEALS

These are two proper person appeals from district court orders entered in separate divorce actions involving the same parties.

In Docket No. 65702, appellant purports to appeal from a May 12, 2014, district court order in Eighth Judicial District Court Case No. D-10-432721-D. But no such order exists in that district court action, with the last order entered in that matter being a February 3, 2012, order dismissing the divorce action filed by respondent. It thus does not appear that any appealable post-judgment orders have been entered in that case, *see* NRAP 3A(b) (listing orders and judgments from which an appeal may be taken); *Taylor Constr. Co. v. Hilton Hotels Corp.*, 100 Nev. 207, 209, 678 P.2d 1152, 1153 (1984) (noting that this court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule), and we therefore dismiss the appeal pending in Docket No. 65702.

As for the appeal pending in Docket No. 66063, the orders appellant seeks to challenge in that appeal likewise are not substantively

appealable. See NRAP 3A(b); *Taylor Constr. Co.*, 100 Nev. at 209, 678 P.2d at 1153. Appellant seemingly seeks to challenge various post-divorce decree rulings and orders in Eighth Judicial District Court Case No. D-12-468773-D that modified her child custody and visitation rights. While an order that finally establishes child custody is appealable, NRAP 3A(b)(7), a temporary child custody or visitation order is not. See *In re Temp. Custody of Five Minor Children*, 105 Nev. 441, 443, 777 P.2d 901, 902 (1989) (stating that no appeal may be taken from a temporary custody order subject to periodic review). Our review of the documents before us reveals that, in the case below, the district court has not yet entered a final order resolving the parties' various motions to modify child custody and visitation, and a hearing for that purpose is scheduled to occur on October 28, 2014. As a result, we lack jurisdiction over the appeal pending in Docket No. 66063, and we therefore order that appeal dismissed.

It is so ORDERED.¹

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

¹Although we dismiss the appeal in Docket No. 65702, we defer ruling on appellant's August 5, 2014, request that the filing fee she paid on August 4, 2014, be returned. We deny as moot all requests for relief in Docket No. 66063.

cc: Hon. Cynthia Dianne Steel, District Judge, Family Court Division
Lavonne Kolender
Dale E. Haley
Louis C. Schneider, LLC
Eighth District Court Clerk