

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM ROWAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70087

FILED

JUN 28 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order affirming a conviction entered in the justice court and remanding for any further proceedings. Eighth Judicial District Court, Clark County; Rob Bare, Judge. When our initial review of this appeal revealed a potential jurisdictional defect, we directed appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, appellant's case arose in justice court and the district court has "final appellate jurisdiction in cases arising in Justices Courts." Nev. Cont. art 6, § 6; see *Tripp v. City of Sparks*, 92 Nev. 362, 550 P.2d 419 (1976); *Waugh v. Casazza*, 85 Nev. 520, 458 P.2d 359 (1969).

In response, appellant asserts that this court has jurisdiction to consider this appeal under NRAP 4(b)(1)(A) because that rule provides that a notice of appeal must be filed within 30 days after entry of the judgment or order being appealed, and he appeals from a district court order. This contention lacks merit. NRAP 4(b)(1)(A) provides the time within which a notice of appeal from a district court order must be filed and does not address the substantive appealability of an order. Because the district court has "final appellate jurisdiction in cases arising in

Justices Courts" and appellant's case arose in Justice Court, we conclude that we lack jurisdiction over this appeal.

Appellant asks that this court treat the notice of appeal as a petition for a writ of certiorari in the event we determine that we lack jurisdiction over the appeal. If counsel wishes to file a writ petition, he may do so, but we decline to construe the notice of appeal as a petition for a writ of certiorari. Accordingly, we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Hon. Rob Bare, District Judge
Tanasi Law Offices
Attorney General/Carson City
Clark County District Attorney/Civil Division
Eighth District Court Clerk
William Rowan