

IN THE SUPREME COURT OF THE STATE OF NEVADA

JULIA L. MUSALL,  
Appellant,  
vs.  
ROBERT BALKENBUSH; AND  
THORNDAL, ARMSTRONG, DELK,  
BALKENSBUSH & EISINGER, A  
PROFESSIONAL CORPORATION,  
Respondents.

No. 72914

FILED

MAY 19 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from an order granting summary judgment. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

Our review of the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the notice of appeal appears to be prematurely filed under NRAP 4(a) because it appears that it was filed after the timely filing of a tolling motion for reconsideration under NRAP 4(a)(2) and before the tolling motion was formally resolved. A timely tolling motion terminates the thirty-day appeal period, and a notice of appeal is of no effect if it is filed after such a tolling motion is filed, and before the district court enters a written order finally resolving the motion. See NRAP 4(a)(2). Accordingly, we conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED.

*J. Hardesty*, J.  
Hardesty

*Parraguirre*, J.  
Parraguirre

*Stiglich*, J.  
Stiglich

cc: Hon. Kimberly A. Wanker, District Judge  
Julia L. Musall  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas  
Nye County Clerk