

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY PEARL,
Appellant,
vs.
ALEXANDRIA PEARL,
Respondent.

No. 72620

FILED

MAY 19 2017

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

*ORDER GRANTING MOTION FOR REMAND AND
DISMISSING APPEAL*

This is an appeal from a district court post-decree order entered in an action for divorce. Eighth Judicial District Court, Family Court Division, Clark County; Jennifer Elliott, Judge.

Appellant has filed a motion to remand this matter to the district court and dismiss this appeal pursuant to *Foster v. Dingwall*, 126 Nev. 49, 228 P.3d 453 (2010), and *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978). Respondent has filed a non-opposition to the motion. Attached to the motion is a district court order certifying that, upon remand, the district court would ask an evaluator to investigate the current custodial arrangement. In particular, the evaluator would be asked to interview individuals, including the parties to this appeal and their minor children; and advise the court in regard to the current custodial arrangement. Further, the district court certified that, upon remand, it would be inclined to vacate its decision in regard to child support and reopen discovery on this issue.

Cause appearing, we grant the motion. We remand this matter to the district court pursuant to its certification, and we dismiss this appeal. This dismissal is without prejudice to the parties' right to file

a motion to reinstate this appeal if the district court declines to grant the requested relief. Any such motion shall be filed within 60 days of the district court's order declining to grant the requested relief.¹

It is so ORDERED.

Hardesty, J.
Hardesty

Parraguirre
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. Jennifer Elliott, District Judge, Family Court Division
Ara H. Shirinian, Settlement Judge
The Jimmerson Law Firm, P.C
Mushkin & Rosenblum, Chartered
Eighth District Court Clerk

¹If the district court grants the requested relief, and a new order is entered as a result of the renewed district court proceedings, any party aggrieved by the new order may file a notice of appeal from that order. See NRAP 3A; NRAP 4.