

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREK BURLISON,
Appellant,
vs.
THE CROWN; EMERALD ESTATES;
AND N. VISTA HOSPITAL,
Respondents.

No. 74782

FILED

JAN 12 2018

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

ORDER DISMISSING APPEAL

This is a pro se appeal from an order dismissing appellant's complaint. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Our preliminary review of the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, it appears that no final, appealable order has been entered. The district court minutes indicate that the court orally dismissed appellant's complaint on December 5, 2017. To date, however, no written order has been entered. *See Rust v. Clark Cty. Sch. Dist.*, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987) (explaining that the district court's oral pronouncement from the bench, the clerk's minute order, and even an unfiled written order cannot be appealed). Under these circumstances, appellant's notice of appeal is premature, and thus, it does not divest the district court of jurisdiction or vest jurisdiction in this court for purposes of an appeal. *See* NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of

jurisdiction.”). Accordingly, because we lack jurisdiction over this appeal,
we

ORDER this appeal DISMISSED.

Pickering J.
Pickering

Gibbons J.
Gibbons

Hardesty J.
Hardesty

cc: Hon. Stefany Miley, District Judge
Derek Burlison
Eighth District Court Clerk