

IN THE SUPREME COURT OF THE STATE OF NEVADA

MONIQUE PEOPLES,
Appellant,
vs.
SHELDON SMITH,
Respondent.

No. 78615

FILED

MAY 22 2019

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

ORDER DISMISSING APPEAL

This is a pro se appeal from an order denying a motion for reimbursement of medical expenses in a divorce matter. Eighth Judicial District Court, Clark County; David S. Gibson, Jr., Judge.

Review of the documents submitted to this court pursuant to NRAP 3(g) reveals several jurisdictional defects. Specifically, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was prematurely filed, before the entry of a final written judgment, and is therefore of no effect. See NRAP 4(a)(1); *Rust v. Clark Cty. School District*, 103 Nev. 686, 747 P.2d 1380 (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).

In addition, it appears that the notice of appeal was filed after the timely filing of a tolling motion under NRAP 4(a)(4) 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)(4).

Finally, it appears that the order is not substantively appealable. See NRAP 3A(b). This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor*

Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984). No statute or court rule provides for an appeal from an order denying a motion for reimbursement of medical expenses.

This court lacks jurisdiction and therefore,
ORDERS this appeal DISMISSED.



Gibbons C.J.



Stiglich J.



Silver J.

cc: Hon. David S. Gibson, Jr., District Judge
Monique Peoples
Smith Legal Group
Eighth District Court Clerk