

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID SHARE, AS TRUSTEE OF THE
DAVID SHARE REVOCABLE LIVING
TRUST,

Appellant,

vs.

REPUBLIC SERVICES, INC., A
FOREIGN CORPORATION,

Respondent.

No. 78571

FILED

JUN 21 2019

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

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court judgment and award of attorney fees and costs. Eighth Judicial District Court, Clark County; Richard Scotti, Judge.

Review of the documents before this court reveals a jurisdictional defect. Specifically, a tolling motion was filed in district court prior to the filing of appellant's notice of appeal. *See AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 584-85, 245 P.3d 1190, 1192-93 (2010). As that motion has not been resolved by the district court, appellant's notice of appeal is premature, and it fails to confer jurisdiction on this court. *See* NRAP 4(a)(6); *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 are ineffective for any purpose). Accordingly, this appeal is dismissed. Once

a written order resolving the tolling motion is entered, any aggrieved party may file a timely notice of appeal. See NRAP 4(a)(4).

It is so ORDERED.

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

cc: Hon. Richard Scotti, District Judge
David Share
Williams Starbuck
Eighth District Court Clerk