

IN THE SUPREME COURT OF THE STATE OF NEVADA

KATHY CARLENE STEELE,
Appellant,

vs.

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE AS SUCCESSOR BY
MERGER TO LASALLE BANK
NATIONAL ASSOCIATION AS
TRUSTEE FOR EMC MORTGAGE
LOAN TRUST 2005-A, MORTGAGE
LOAN PASS-THROUGH
CERTIFICATES, SERIES 2005-A,
Respondent.

No. 71633

FILED

DEC 12 2016

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 relief pursuant to NRCP 60(b). Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

Our review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was filed after the timely filing of a tolling motion under NRAP 4(a)(2) and before the tolling motion was formally resolved. A timely tolling motion terminates the 30-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.¹

J. Hardesty, J.
Hardesty

Pickering, J.
Pickering

Stiglich, J.
Stiglich

cc: Hon. Janet J. Berry, District Judge
Kathy Carlene Steele
Holland & Hart LLP/Las Vegas
Washoe District Court Clerk

¹We deny appellant's motion to seal the record.