

IN THE SUPREME COURT OF THE STATE OF NEVADA

VANCE COAN,
Appellant,
vs.
ROSALIE BACLET,
Respondent.

No. 79936

FILED

DEC 09 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 order granting a motion to dismiss a complaint. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Review of the notice of appeal and documents before this court reveals a jurisdictional defect. It appears that the notice of appeal was prematurely filed after the filing of a timely tolling motion for reconsideration. *See* NRAP 4(a)(4); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (explaining when a post-judgment motion for reconsideration is treated as a tolling motion under NRAP 4(a)(4)(C)). To date, it appears that the tolling motion remains pending in the district court. It thus appears that this court lacks jurisdiction, *see* NRAP 4(a)(6) (“A premature notice of appeal does not divest the district court of jurisdiction.”), and this court

ORDERS this appeal DISMISSED.

Parraguirre, J.
Parraguirre

Pickering, J.
Pickering

Cadish, J.
Cadish

cc: Hon. Scott N. Freeman, District Judge
Vance Coan
Robertson, Johnson, Miller & Williamson
Washoe District Court Clerk