

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERICK OMOYUMA SILVER,  
Appellant,

vs.

STEVEN B. WOLFSON DA CLARK  
COUNTY FAMILY CHILD SUPPORT  
DIVISION; JANE D. FEMIANO  
HEARING MASTER/MAGISTRATE DA  
CLARK COUNTY FAMILY CHILD  
SUPPORT DIVISION; THE STATE OF  
NEVADA DEPARTMENT OF HEALTH  
AND HUMAN SERVICES; AND  
NEVADA ATTORNEY GENERAL  
AARON D. FORD, OFFICE OF THE  
ATTORNEY GENERAL; SUMMERLIN  
HOSPITAL MEDICAL CENTER, LLC;  
JEFFREY J. WITTHUN; VERONICA  
GOMEZ; AND AARON BAILEY,  
Respondents.

No. 83537

**FILED**

NOV 05 2021

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 that appears to deny a motion for relief under NRCP 60(b). Eighth Judicial District Court, Clark County; Jessica K. Peterson, Judge.

Review of the notice of appeal and other documents before this court reveals a jurisdictional defect. The notice of appeal was prematurely filed in the district court after the filing of a timely tolling motion (entitled "Objection to Order Signed by Jessica K. Peterson on 9/14/21), see NRAP 4(a)(4) (regarding tolling motions); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (describing when a post-judgment motion is treated as a motion pursuant to NRCP 59(e) carrying tolling effect); *Lytle v. Rosemere Estates Prop. Owners*, 129 Nev. 923, 314

P.3d 946 (2013) (a motion to alter or amend an appealable order generally tolls the time to file an appeal from that order), but before that motion was resolved in the district court. To date, it appears the motion remains pending in the district court. This court lacks jurisdiction over a premature notice of appeal, NRAP 4(a)(6) (“A premature notice of appeal does not divest the district court of jurisdiction.”), and therefore

ORDERS this appeal DISMISSED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Cadish

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Herndon

cc: Hon. Jessica K. Peterson, District Judge  
Frederick Omoyuma Silver  
Wilson, Elser, Moskowitz, Edelman & Dicker, LLP/Las Vegas  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>This court takes no further action on the document filed by appellant on October 7, 2021, and no action on the document filed on October 15, 2021.