

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS KEITH KIEREN, JR.,
Appellant,
vs.
THE STATE OF NEVADA; CHARLES
DANIELS, DIRECTOR, NDOC; AND
RANDALL GILLMER, DIV. PUB.
SAFETY, NDOC,
Respondents.

No. 84871

FILED

JUN 30 2022

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

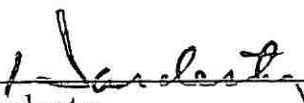
ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order granting a motion to dismiss. First Judicial District Court, Carson City; James Todd Russell, 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 for rehearing and before that tolling motion was resolved via a written order entered in the district court. 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 carries tolling effect). To date, it appears that the tolling motion remains pending in the district court. As this court lacks jurisdiction to consider a premature notice of

appeal, see NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of jurisdiction."), this court

ORDERS this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. James Todd Russell, District Judge
Dennis Keith Kieren, Jr.
Attorney General/Carson City
Carson City Clerk