

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAKAYA KING,  
Appellant,  
vs.  
GO GLOBAL REALTY; STEVEN FANG;  
ANITA CHOW; AND ALCHEMY  
INVESTMENTS, LLC,  
Respondents.

No. 85731

FILED

JAN 12 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order denying appellant's motion for summary judgment and granting respondents' motion for summary judgment. Eighth Judicial District Court, Clark County; Nadia Krall, Judge.

Initial review of the documents before this court reveals a jurisdictional defect. It appears that the notice of appeal was prematurely filed in the district court after the filing of a timely motion to set aside and vacate the challenged order but before entry of a written order resolving that motion. *See 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). Although it appears that the district court resolved the motion to set aside and vacate in a minute order on November 23, 2022, the district court's minute order is not effective. *State, Div. of Child & Family Servs. v. Eighth Judicial Dist. Court*, 120 Nev. 445, 454, 92 P.3d 1239, 1245 (2004) (“[D]ispositional court orders that are not administrative in nature, but deal with the procedural posture or merits of the underlying controversy, must be written, signed, and filed before they become effective.”); NRCP 58(c) (providing that a judgment is entered when it is signed by the court and filed with the clerk). Because it appears that the

motion to set aside and vacate remains pending in the district court, this court lacks jurisdiction to consider this appeal. See NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of jurisdiction."). Accordingly, this court

ORDERS this appeal DISMISSED.



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



\_\_\_\_\_, J.  
Lee



\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Nadia Krall, District Judge  
Takaya King  
Perry & Westbrook, P.C.  
Morris Law Center  
Eighth District Court Clerk