

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY BURRIOLA,  
Appellant,  
vs.  
THE STATE OF NEVADA; AND  
NEVADA DEPARTMENT OF  
CORRECTIONS,  
Respondents.

No. 88734

**FILED**

DEC 20 2024

ELIZABETH A. BROY  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order granting summary judgment. First Judicial District Court, Carson City; James Todd Russell, Judge.

On November 11, 2024, this court entered an order holding the appeal in abeyance and directing entry of a written order on appellant's tolling motion. *See AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 584, 245 P.3d 1190, 1194 (2010); NRAP 6 (2015) (providing that a premature notice of appeal does not divest the district court of jurisdiction). In response, the district court transmitted a December 4, 2024, order granting appellant's motion and setting aside the summary judgment, such that, at this point, the district court case has not yet been resolved. As the summary judgment has been set aside and appellant is not aggrieved by the December 4 order, NRAP 3A(a), this appeal is moot. *Personhood Nev. v. Bristol*, 126 Nev. 599, 602, 245 P.3d 572, 574 (2010) (explaining that a case on appeal is moot when the court cannot grant effective relief with respect to the challenged order). Accordingly, this appeal is dismissed, without prejudice

to appellant's ability to file any new appeal from any final order by which he is aggrieved.

It is so ORDERED.

Stiglich, J.  
Stiglich

Pickering, J.  
Pickering

Parraguirre, J.  
Parraguirre

cc: Hon. James Todd Russell, District Judge  
Anthony John Burriola  
Attorney General/Carson City  
Attorney General/Las Vegas  
Carson City Clerk