

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDGAR TAVARES,  
Appellant,  
vs.  
JENNY TAVARES,  
Respondent.

EDGAR TAVARES,  
Appellant,  
vs.  
JENNY BUONOCORE F/K/A JENNY  
TAVARES,  
Respondent.

No. 88561

No. 89473 ✓

**FILED**

MAR 10 2025

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL (DOCKET NO. 89473)  
AND DENYING MOTIONS TO CONSOLIDATE*

These are appeals from an April 15, 2024, district court order modifying child custody, as revised upon limited remand on November 4, 2024 (Docket No. 88561), and from a September 5, 2024, district court order in the same case (Docket No. 89473). Eighth Judicial District Court, Clark County; Mari D. Parlade, Judge.

When this court's review of the docketing statement and other documents before the court revealed a potential jurisdictional defect regarding the appeal in Docket No. 89473, appellant was directed to show cause why that appeal should not be dismissed for lack of jurisdiction. Specifically, the show cause order explained that, in Docket No. 88561, this court had determined the September 5 order did not substantively alter child custody but instead merely certified, under NRAP 12A, the district court's inclination to correct, under NRCPC 60(a), the April 15 order that had been appealed in that case, if jurisdiction were remanded for it to do so. Accordingly, this court entered a limited remand so that the district court could enter a corrected order, Docket No. 88561 (October 4, 2024, Order Granting Motion for Limited Remand), which the district court did on

November 4, 2024. Appellant filed an amended notice of appeal from the November 4 order in Docket No. 88561. The show cause order explained that no court rule or statute allows for an appeal from a district court's indicative order under NRAP 12A. *Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (“[W]e may only consider appeals authorized by statute or court rule.”).


Appellant and respondent timely filed responses to the show cause order. Appellant asserts that the appeal should not be dismissed because the district court exceeded the scope of its authority under NRCP 60(a), and thus the limited remand was ineffective. However, these are merits arguments and do not demonstrate this court's jurisdiction over the September 5 order. Respondent asserts that the appeal should be dismissed. As appellant has failed to demonstrate that this court has jurisdiction over the September 5 indicative order, the appeal in Docket No. 89473 is hereby dismissed.

The appeal in Docket No. 88561 remains pending, with the fast track opening brief due on March 14, 2025, and appellant may raise any issues he has with the September 5 and November 4 orders in that appeal. *See Consol. Generator-Nev., Inc. v. Cummins Engine Co.*, 114 Nev. 1304, 1312, 971 P.2d 1251, 1256 (1998). In light of this order, the motions to consolidate these appeals are denied as moot.

It is so ORDERED.

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

  
\_\_\_\_\_, J.  
Bell

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. Mari D. Parlade, District Judge  
James J. Jimmerson, Settlement Judge  
McFarling Law Group  
Jacobson Law Office, Ltd.  
Posin Law Group, PC  
Michael J. Warhola, LLC  
Eighth District Court Clerk