

IN THE SUPREME COURT OF THE STATE OF NEVADA

EMBER GRASSO A/K/A  
CHRISTOPHER GRASSO,  
Appellant,  
vs.  
SHAUNA GRASSO,  
Respondent.

No. 90872

**FILED**

AUG 12 2025

ORDER DISMISSING APPEAL  
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

This is an appeal from a May 30, 2025, district court order setting forth temporary child custody arrangements and awarding temporary child support and spousal support in a divorce action. Eighth Judicial District Court, Clark County; Vincent Ochoa, Judge. Appellant has filed an emergency motion for stay of the order pending appeal.

When this court's preliminary review of the documents before it revealed potential jurisdictional defects, however, appellant was directed to show cause why the appeal should not be dismissed. In particular, this court noted that no statute or court rule authorizes an appeal from a temporary order, *see In re Temporary Custody of Five Minors*, 105 Nev. 441, 443, 777 P.2d 901, 902 (1989) (indicating that orders granting temporary custody are not substantively appealable); NRAP 3A(b)(7) (allowing appeals only from orders that finally resolve child custody issues), and even if the order is substantively appealable, it appeared that the appeal was prematurely filed before the resolution of a June 3, 2025, potential tolling motion, rendering the notice ineffective at the time, *see* NRAP 4(a)(5)(B)(i) (a notice of appeal becomes effective to appeal a final order upon entry of an order resolving the last remaining tolling motion); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (discussing when a motion for reconsideration will be given tolling effect).

Appellant timely responded to the show cause order. In her response, appellant asserts that the order should be deemed final based on the immediate and life-altering consequences resulting from the court's decisions on custody, relocation, financial support obligations, and supervised visitation. However, the district court only temporarily ordered those conditions pending an evidentiary hearing, such that they could be altered or remedied in the final determination upon further consideration and presentation of evidence, rendering the May 30 order not final or appealable. Accordingly, this court lacks jurisdiction to consider this appeal,<sup>1</sup> *Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court may consider appeals only when authorized by statute or court rule), and we therefore

ORDER this appeal DISMISSED.<sup>2</sup>

Pickering, J.  
Pickering

Cadish, J.  
Cadish

Lee, J.  
Lee

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<sup>1</sup>In light of this decision, we need not reach the tolling motion issue.

<sup>2</sup>We decline appellant's request to convert this appeal into a writ proceeding. Although we have rarely treated appeals as writ proceedings in the past, we generally have done so only when, by misdirection of this court, the parties otherwise would have been denied of an opportunity to request that this court consider or review a matter. *See, e.g., Clark Cnty. Liquor v. Clark*, 102 Nev. 654, 730 P.2d 443 (1986). Those circumstances are not present here. We note, however, that this appeal's dismissal is without prejudice to appellant's right to pursue alternative relief by way of a separate petition for extraordinary writ relief under NRAP 21. In light of this order, appellant's emergency motion for stay is denied as moot.

cc: Hon. Vincent Ochoa, District Judge  
Christopher L. Grasso, P.C.  
Sin City Divorce  
Eighth District Court Clerk