IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY ALLEN KELLY.

Appellant,

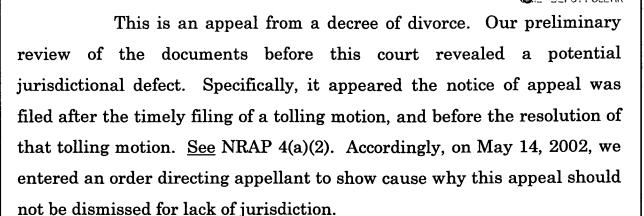
No. 38369

DIANA LYNN KELLY.

Respondent.

JUL 26 2002

ORDER DISMISSING APPEAL



On May 29, 2002, appellant filed a response to our May 14, 2002, order to show cause. In the response, appellant concedes that the notice of appeal was filed "while a tolling motion was pending." Appellant further states he "is not able to show cause why the appeal should not be dismissed." Accordingly, we conclude that this court lacks jurisdiction, and we dismiss this appeal.

It is so ORDERED.

Agosti

SUPREME COURT NEVADA

(O) 1947A

J.

J.

J.

cc: Hon. J. Michael Memeo, District Judge Woodburn & Wedge Stringfield Law Offices Elko County Clerk