

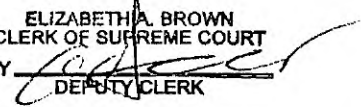
IN THE SUPREME COURT OF THE STATE OF NEVADA

GENE MORAN,
Appellant,
vs.
MICHAEL BERNARD MEYER,
Respondent.

No. 90793

FILED

FEB 12 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

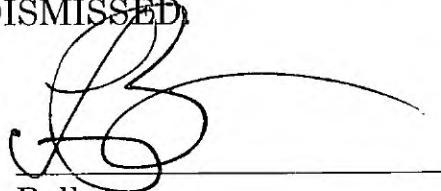
This is a pro se appeal from a district court order denying a motion for an extension of time to serve process. Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.¹

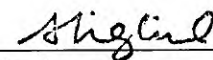
Nevada appellate courts have jurisdiction only when the appellant seeks review of an appealable judgment or order that adversely and substantially affects the appellant's rights. NRAP 3A(a). Here, appellant Gene Moran voluntarily dismissed his lawsuit while his motion seeking leave to pursue reconsideration of the district court's order denying Moran additional time to serve process was still pending. By voluntarily dismissing his lawsuit without prejudice, Moran avoided any dismissal for failure to serve process and preserved his ability to refile the action. *See, e.g., Trustees of Hotel & Rest. Emps. & Bartenders Int'l v. Royco, Inc.*, 101 Nev. 96, 98, 692 P.2d 1308, 1309 (1985) (holding that a dismissal without

¹Having considered the pro se brief filed by appellant, we conclude that a response is not necessary, NRAP 46A(c), and that oral argument is not warranted, NRAP 34(f)(1). This appeal therefore has been decided based on the pro se brief and the record. *Id.*

prejudice is not a final adjudication on the merits for purposes of claim preclusion); *Clark v. Columbia/HCA Info. Servs., Inc.*, 117 Nev. 468, 481, 25 P.3d 215, 224 (2001) (holding same for issue preclusion). The order denying the motion to extend time to serve process neither dismissed the case nor adjudicated any claim. *Cf. Saavedra-Sandoval v. Wal-Mart Stores*, 126 Nev. 592, 599, 245 P.3d 1198, 1202 (2010) (entertaining appeal after the district court denied an untimely motion to enlarge time for service and dismissed the action). Because the challenged order imposed no adverse or substantial effect on Moran's rights, he is not an aggrieved party and lacks standing to appeal under NRAP 3A(a). *See Fed. Sav. & Loan Ins. Corp. v. Moss*, 88 Nev. 256, 260, 495 P.2d 616, 618 (1972) (dismissing appeal where the district court entered a voluntary dismissal without prejudice and no final order disposed of the action between the parties). Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Bell


_____, J.
Stiglich


_____, J.
Cadish

cc: Hon. Thomas W. Gregory, District Judge
Gene Moran
Michael Bernard Meyer
Douglas County Clerk