

IN THE SUPREME COURT OF THE STATE OF NEVADA

TIMOTHY VIDRINE,  
Appellant/Cross-Respondent,  
vs.  
ANISTASIA MULLINER,  
Respondent/Cross-Appellant.

No. 91919

FILED

JUN 03 2026

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DISMISSING APPEAL AND CROSS-APPEAL*

This is an appeal and cross-appeal from a December 1, 2025, district court order granting a motion to modify custody of a minor child and ordering each party to bear their own fees and costs. Seventh Judicial District Court, White Pine County; Robert E. Estes, Judge.

When review of the notice of appeal filed by respondent/cross-appellant (respondent) revealed a potential jurisdictional defect, this court directed respondent to show cause why the cross-appeal should not be dismissed for lack of jurisdiction. In particular, it appeared respondent's notice of appeal was untimely filed in the district court on January 23, 2026, more than 30 days after service of notice of entry of the challenged order on December 1, 2026, and more than 14 days after electronic service of appellant's notice of appeal on December 30, 2026. *See* NRAP 4(a)(1), (3).

In response, respondent states that she initially received an unfiled copy of the notice of appeal on January 30, 2026, which date appears to be a typo. She asserts she did not understand that a notice of appeal had actually been filed until January 9, 2026, when she "received Notice of Appeal from this Court." Respondent represents that her counsel contacted the clerk's office regarding the time frame to file a cross-appeal and "was advised that the 14 days started upon receipt of the Notice of Appeal from

the Supreme Court.” She asserts that “service was ambiguous until this Court issued its Notice of Appeal.”

Respondent’s argument is not entirely clear, but she appears to contend that the 14-day period to file a notice of cross-appeal began on January 9, 2026, the date appellant’s notice of appeal was docketed in this court. This contention lacks merit.

NRAP 4(a)(3) provides: “If one party timely files a notice of appeal, any other party may file a notice of appeal no later than *14 days after the date when the first notice was served*, or within the time otherwise prescribed by Rule 4(a), whichever period ends later.” (emphasis added). The certificate of service attached to appellant’s notice of appeal certifies that the notice of appeal was served on respondent’s counsel on December 30, 2025. Pursuant to NRAP 4(a)(3), respondent had 14 days from that date, until January 13, 2026, to file any additional notice of appeal. However, respondent did not file her notice of appeal until January 23, 2026, ten days after expiration of the deadline.

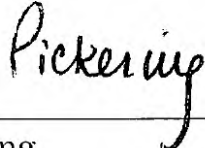
Even crediting respondent’s assertion that she was misadvised regarding the filing deadline, the time to file the notice of appeal is mandatory, and this court cannot extend that time under the circumstances presented here. NRAP 26(b)(1)(A) (“[T]he court may not extend the time to file a notice of appeal except as provided in Rule 4(c).”). Accordingly, we lack jurisdiction over respondent’s cross-appeal, *see Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev, 329, 331, 741 P.2d 432, 433 (1987), and order that appeal dismissed.

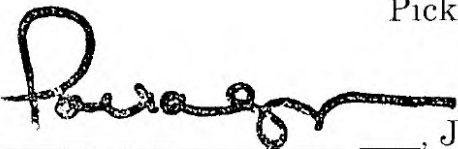
On April 6, 2026, this court entered an order allowing appellant’s counsel to withdraw and directing appellant, by May 6, 2026, to either retain new counsel and cause counsel to enter an appearance, file a


motion for an extension of time to retain new counsel, or inform this court in writing that he would be proceeding pro se. Appellant failed to comply. Accordingly, on May 8, 2026, this court entered an order directing appellant, by May 22, 2026, to retain counsel and cause counsel to file a notice of appearance in this court. If appellant would not be retaining new counsel and wished to proceed pro se, he was to notify this court in writing within the same time period. Appellant was cautioned that failure to timely comply could result in the dismissal of his appeal as abandoned.

To date, appellant has not complied or otherwise communicated with this court. Because it appears that appellant has abandoned his appeal, his appeal is also dismissed.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Pickering

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

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

cc: Chief Judge, The Seventh Judicial District Court  
Hon. Robert E. Estes, Senior Judge  
Timothy Vidrine  
Amens Law, LLC  
White Pine County Clerk