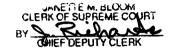
## IN THE SUPREME COURT OF THE STATE OF NEVADA

SENTA S.S. NOVAK,
Appellant,
vs.
GARRY L. NOVAK, JR.,
Respondent.

No. 39161

FILED

FEB 15 2002



## ORDER DISMISSING APPEAL

This is a proper person appeal from an order referring the parties to mediation for custody issues, and a minute order setting aside a divorce decree.¹ No appeal may be taken from a minute order, and a notice of appeal filed before entry of a written judgment does not confer jurisdiction on this court.² In addition, the right to appeal is statutory; if no statute or court rule provides for an appeal, no right to appeal exists.³ No rule or statute provides for an appeal from an order referring the parties to mediation.⁴ Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.

Young J.

Young J.

Agosti

Leavitt

 $^{4}$ See NRAP  $^{3}$ A(b)(2).

<sup>&</sup>lt;sup>1</sup>We note that appellant failed to pay the filing fee required by NRS 2.250(1)(a); this constitutes an independent basis for dismissal.

<sup>&</sup>lt;sup>2</sup>See NRAP 4(a)(1); <u>Rust v. Clark Cty. School District</u>, 103 Nev. 686, 747 P.2d 1380 (1987).

<sup>&</sup>lt;sup>3</sup>See <u>Taylor Constr. Co. v. Hilton Hotels</u>, 100 Nev. 207, 678 P.2d 1152 (1984); <u>Kokkos v. Tsalikis</u>, 91 Nev. 24, 530 P.2d 756 (1975).

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division Clark County District Attorney Clark County District Attorney/Family Support Division Senta S.S. Novak Clark County Clerk