

IN THE SUPREME COURT OF THE STATE OF NEVADA

FLOYD ATCHISON,
Appellant,
vs.
JEAN ATCHISON,
Respondent.

No. 39873

FILED

AUG 22 2002

ORDER DISMISSING APPEAL

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order modifying the property settlement in a divorce case, a minute order denying appellant's motion to alter or amend that order, an order requiring appellant to appear for a judgment debtor's examination, and an order requiring appellant to show cause why he should not be held in contempt.¹

A timely motion to alter or amend tolls the time within which to file a notice of appeal, and a notice of appeal filed before entry of a written order resolving the motion is of no effect.² Here, the district court had not yet entered a written order resolving the motion to alter or amend at the time the notice of appeal was filed.

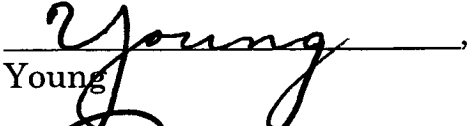
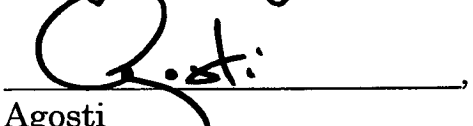

In addition, the orders requiring appellant to appear for a judgment debtor's examination and to show cause why he should not be

¹Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from him. We deny the relief requested as moot in light of this order. We also deny respondent's motion for sanctions and fees, and deny her motion to dismiss as moot in light of this order.

²See NRAP 4(a)(2).

held in contempt are not independently appealable.³ They also are not appealable as special orders after final judgment,⁴ because they do not modify the rights of the parties arising from the final judgment.⁵ Rather, they enforce the district court's orders. Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.

 J.
Young
 J.
Agosti
 J.
Leavitt

cc: Hon. T. Arthur Ritchie Jr., District Judge, Family Court Division
Floyd Atchison
Law Office of Marshal S. Willick, PC
Clark County Clerk

³See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984) (holding that the right to appeal is statutory; if no statute or court rule provides for an appeal, no right to appeal exists); Kokkos v. Tsalikis, 91 Nev. 24, 530 P.2d 756 (1975).

⁴See NRAP 3A(b)(2).

⁵See Wilkinson v. Wilkinson, 73 Nev. 143, 311 P.2d 735 (1957).