IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
JOHN W. ACHTTIEN.

No. 40623

NANCY ACHTTIEN CLAPP,
Appellant,
  vs.
BLAKE N. HICKOK,
Respondent.

FILED

JUN 27 2003

ANETTE M. BLOOM
CLERK OF SUPREME COURT
BY_____
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order denying a motion for reconsideration and awarding attorney fees and costs. An order denying a motion for reconsideration is not appealable.[1] The portion of the order awarding attorney fees and costs is not appealable because it does not determine and reduce to judgment the amount of those fees and costs.[2] The district court ordered appellant to pay the attorney fees and cost incurred by the Estate in having to respond to appellant's motion for
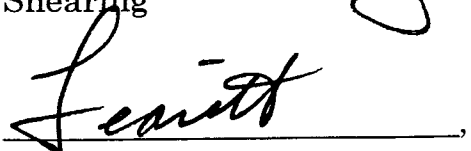
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[1]Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983).

[2]See NRAP 3A(b); cf. Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000).

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reconsideration, "as may be proved and submitted by the Estate." Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.[3]

_____, J
Shearing

_____, J.
Leavitt

_____, J.
Becker

cc: Hon. Robert E. Estes, District Judge
Brooke Shaw Zumpft
Nancy Achttien Clapp
Douglas County Clerk

_____

[3]Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from her. Appellant has not paid the filing fee required by NRS 2.250, but has filed a motion for leave to proceed on appeal in forma pauperis. It appears that appellant filed a similar motion in the district court under NRAP 24(a), but has not advised us whether the district court has ruled on her motion. Further, we take judicial notice of the fact that appellant paid the filing fee in her related appeal in Docket No. 40107. Accordingly, we deny appellant's motion to proceed on appeal in forma pauperis, and thus, appellant's failure to pay the filing fee constitutes an independent basis for dismissing this appeal.

Further, we deny as moot respondent's motion to dismiss.