

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELLIS LEE HUNTER,
Appellant,
vs.
LATOSHA R. JAMES,
Respondent.

No. 40699

FILED

FEB 05 2003

ORDER DISMISSING APPEAL

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


This is a proper person appeal from a district court order extending a temporary protective order against domestic violence and adjudicating appellant in contempt. Our preliminary review of the documents submitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. Specifically, the order appealed from is not substantively appealable. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule.¹ There is no such authorization for an appeal from a temporary protective order

¹See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

and/or contempt order.² Thus, we conclude that this court lacks jurisdiction over the appeal and we

ORDER this appeal DISMISSED.³


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. T. Arthur Ritchie, District Judge, Family Court Division
Ellis Lee Hunter
Latosha R. James
Clark County Clerk

²NRAP 3A(b); Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000) (stating that the proper mode of review of a contempt order is by extraordinary writ); In re Temporary Custody of Five Minors, 105 Nev. 441, 777 P.2d 901 (1989) (holding that no appeal may be taken from a temporary order subject to periodic mandatory review); Sugarman Co. v. Morse Bros., 50 Nev. 191, 255 P. 1010 (1927) (indicating that no appeal may be taken from a temporary restraining order).

³We note that appellant's failure to pay the filing fee required by NRS 2.250(1)(a) could constitute an independent basis on which to dismiss this appeal.