

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHELLE BEARD-QUIMBY,
Appellant,
vs.
GEORGE O'CONNER BEARD,
Respondent.

No. 41741

MICHELLE BEARD-QUIMBY,
Appellant,
vs.
GEORGE O'CONNER BEARD,
Respondent.

No. 42004

FILED

OCT 15 2004

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

ORDER DISMISSING APPEALS

Docket No. 41741 is a proper person appeal from a district court order finding appellant in contempt and from an order, on remand, dividing certain community debt. Docket No. 42004 is a proper person appeal from a district court order, on remand, dividing certain community debt. Eighth Judicial District Court, Family Court Division, Clark County; T. Arthur Ritchie, Judge.

An untimely notice of appeal fails to vest jurisdiction in this court.¹ In both appeals docketed in this court, appellant seeks to appeal

¹See Healy v. Volkswagenwerk, 103 Nev. 329, 741 P.2d 432 (1987).

from the same district court order entered on remand in February 2002. This court lacks jurisdiction to consider the appeals from that order. Specifically, the order was entered on February 20, 2002, and notice of entry of the order was served by mail that same day. Consequently, the last day on which a notice of appeal could be filed was March 25, 2002.² Appellant filed her notice of appeal in Docket No. 42004 on March 31, 2002, and later designated the February order as an order she was appealing in her July 2003 notice of appeal in Docket No. 41741. In either instance, appellant's attempts to appeal from the February order were untimely. Accordingly, we dismiss the appeal in Docket No. 42004. Moreover, since we lack jurisdiction to consider the February 2002 order on appeal, we dismiss the portion of the appeal in Docket No. 41741 that purports to challenge the February order.

As for the appeal from the June 13, 2003 order finding appellant in contempt, this court lacks jurisdiction over an appeal from a contempt order.³ The proper means to review such an order is by an original writ petition.⁴ Accordingly, this court lacks jurisdiction to

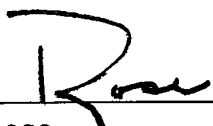
²See NRAP 4(a)(1) (providing that notice of appeal must be filed within thirty days of service of notice of entry); NRAP 26(c) (providing that three days are added when service is by mail).

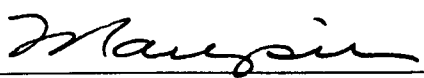
³Pengilly v. Rancho Santa Fe Homeowners, 116 Nev. 646, 5 P.3d 569 (2000).

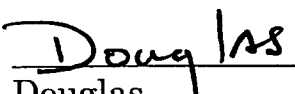
⁴Id.

consider appellant's appeal from the June 13 order, and we dismiss the appeal in Docket No. 41741.

It is so ORDERED.⁵


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. T. Arthur Ritchie, District Judge, Family Court Division
Michelle Beard-Quimby
George O'Conner Beard
Clark County Clerk

⁵Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered appellant's proper person documents, and we conclude that the relief requested therein is moot in light of this order.