

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL M. LOWEN,
Appellant,
vs.
LINDA P. LOWEN,
Respondent.

No. 42005

FILED

SEP 19 2003

ORDER DISMISSING APPEAL

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

This proper person appeal is taken from a May 20, 2003 district court order, entered in accordance with the parties' stipulation, that directs the parties' real property sold and the proceeds divided. Our review of the documents transmitted under NRAP 3(e) reveals two jurisdictional defects. First, the notice of appeal is untimely. NRAP 4(a)(1) requires that a notice of appeal be filed no more than thirty days after written notice of the order's entry is served. An additional three days are provided if service is by mail.¹ Here, notice of the order's entry was served by mail on May 28, 2003. The notice of appeal, however, was not filed until August 25, 2003, well outside the time period prescribed by NRAP 4(a)(1).

Additionally, the district court's order was entered pursuant to the parties' stipulation. Under NRAP 3A(a), only an aggrieved party may

¹NRAP 26(c).


appeal. As appellant agreed with the district court's order, he is not an aggrieved party with standing to appeal.²

We therefore conclude that we lack jurisdiction to consider this appeal, and we dismiss it.

It is so ORDERED.


_____, J.
Rose


_____, J.
Leavitt


_____, J.
Maupin

cc: Hon. Lisa Brown, District Judge, Family Court Division
Timothy L. Coughlin
Paul M. Lowen
Clark County Clerk

²See, e.g., Vinci v. Las Vegas Sands, 115 Nev. 243, 984 P.2d 750 (1999) (stating that a party who voluntarily dismisses claim is not aggrieved); Leonard v. Belanger et. al, 67 Nev. 577, 222 P.2d 193 (1950) (providing that a party who files disclaimer of interest is not aggrieved and cannot appeal).