

IN THE SUPREME COURT OF THE STATE OF NEVADA

BEAU Z. STEWART,
Appellant,
vs.
ROBIN WYNKOOP,
Respondent.

No. 42814

FILED

MAR 19 2004

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

ORDER DISMISSING APPEAL

This proper person appeal is taken from a master's recommendation in child support proceedings. Our review of the documents transmitted under NRAP 3(e) reveals a jurisdiction defect. Specifically, the master's recommendation has not been formally approved by the district court in a written order.


Under NRAP 4(a)(1), a notice of appeal filed before a written judgment or order is entered has no affect.¹ Here, although the master made an oral recommendation before the notice of appeal was filed, the district court had not entered a formal written judgment in the case. Consequently, the notice of appeal was ineffective and failed to vest

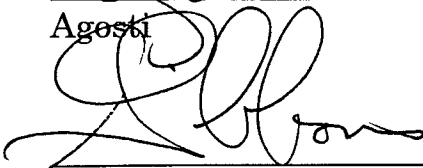
¹See also Rust v. Clark Cty. School District, 103 Nev. 686, 747 P.2d 1380 (1987).

jurisdiction in this court.² As we lack jurisdiction to consider this appeal, we dismiss it.

It is so ORDERED.³


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Steven E. Jones, District Judge, Family Court Division
Beau Z. Stewart
Clark County District Attorney David J. Roger
Clark County Clerk

²We note that appellant may be able to appeal from any formal written order of the district court adopting the master's recommendations, if appellant complies with the time requirements set forth in NRAP 4(a).

³Appellant's failure to pay the supreme court filing fee could constitute an independent basis on which to dismiss this appeal.