

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL  
RIGHTS AS TO A. S. O., A MINOR,

No. 67608

CLARK COUNTY DEPARTMENT OF  
FAMILY SERVICES,

Appellant,

vs.

ROBERT I.,

Respondent.

**FILED**

NOV 19 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order denying a petition to terminate respondent's parental rights. Eighth Judicial District Court, Clark County; Nancy A. Becker, Judge.

Our initial review of the docketing statement and documents submitted to this court revealed a potential jurisdictional defect. Specifically, it was unclear whether the district court had entered a final written order resolving the underlying parental termination case. The petition sought to terminate the parental rights of Alexis O., Edward M., and Robert I. The district court entered a written order dismissing the petition as to Edward M. and a separate order denying the petition as to Robert I. The latter order stated that the parental rights of Alexis O. were

previously terminated in court. The district court minutes also indicate that the petition was orally granted as to Alexis O. However, no written order expressly resolved the petition as to Alexis O. Accordingly, we directed appellant to show cause why this appeal should not be dismissed as premature. See NRAP 3A(b)(1) (allowing an appeal from a final judgment); *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000); *Rust v. Clark Cnty. Sch. Dist.*, 103 Nev. 686 689, 747 P.2d 1380, 1382 (1987) (recognizing that an oral pronouncement from the bench is ineffective).

In response, appellant argues that the order denying the petition as to Robert I. should be construed as also resolving the petition as to Alexis O. Appellant offers no cogent argument in support of this contention. Instead, it asserts that the district court orally conditionally granted the termination petition as to Alexis O., but that the condition was not fulfilled. Thus, appellant contends, the district court order did not terminate Alexis O.'s parental rights.<sup>1</sup>

The district court's written order notes, in the factual background section, that Alexis O.'s parental rights were previously terminated in court. The order makes specific findings of fact and conclusions of law with respect to Robert I. and denies the petition as to him, but makes no findings, conclusions, or orders with respect to Alexis O. Under these circumstances, we conclude that the district court's order does not resolve the petition with respect to Alexis O. Accordingly, as it does not appear that any other written order resolves the petition as to

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<sup>1</sup>We note this is in direct conflict with the written order, which states that Alexis O.'s parental rights were terminated.

Alexis O., this appeal is premature, and we order it dismissed. *See* NRAP 4(a)(6). Appellant may file an appeal after a final judgment is entered.

It is so ORDERED.

 J.

Saitta

 J.

Gibbons

 J.

Pickering

cc: Chief Judge, The Eighth Judicial District Court  
Hon. Nancy A. Becker, Senior Judge  
Clark County District Attorney/Juvenile Division  
Valarie I. Fujii & Associates  
Eighth District Court Clerk