

IN THE SUPREME COURT OF THE STATE OF NEVADA

JESUS ZUNIGA,
Appellant,
vs.
STEPHANIE GARRISON,
Respondent.

No. 78625

FILED

MAY 22 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL


This is a pro se appeal of an order after a hearing on child visitation and allocation of expenses. Sixth Judicial District Court, Humboldt County; David R. Gamble, Judge.

Review of the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was filed after the timely filing of a tolling motion under NRAP 4(a)(4) and before the tolling motion was formally resolved. A timely tolling motion terminates the thirty-day appeal period, and a notice of appeal is of no effect if it is filed after such a tolling motion is filed, and before the district court enters a written order finally resolving the motion. See NRAP 4(a)(4).

Further, it appears that the order is not substantively appealable. See NRAP 3A(b). This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *Taylor Constr. Co. v. Hilton Hotels*, 100 Nev. 207, 678 P.2d 1152 (1984). No statute

or court rule provides for an appeal from an order resolving motions on visitation and allocation of expenses.

This court lacks jurisdiction, and
ORDERS this appeal DISMISSED.



Gibbons C.J.



Stiglich J.



Silver J.

cc: Chief Judge, The Sixth Judicial District Court
Hon. David R. Gamble, Senior Judge
Jesus Zuniga
Amens Law, LLC
Humboldt County Clerk