

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMAA ANTHONY CINQUE,  
Appellant,  
vs.  
THE STATE OF NEVADA; AND  
DWAYNE DEAL, TIME KEEPER,  
NDOC,  
Respondents.

No. 78941

**FILED**

JUN 21 2019

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

*ORDER DISMISSING APPEAL*

This is a pro se appeal from an order granting respondents' motion to set aside a default judgment. First Judicial District Court, Carson City; James E. Wilson, Judge.

Review of the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the order designated in the notice of appeal 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). An appeal may be taken from "[a] special order entered after final judgment, *excluding an order granting a motion to set aside a default judgment under NRCP 60(b)(1) when the motion was filed and served within 60 days after entry of the default judgment.*" NRAP 3A(b)(8) (emphasis added). The default judgment in this case was filed on

April 4, 2019; the motion to set it aside was filed and served on April 22, 2019. Therefore, this court lacks jurisdiction and

ORDERS this appeal DISMISSED.

*Hardesty* J.  
Hardesty

*Stiglich* J.  
Stiglich

*Silver* J.  
Silver

cc: Hon. James E. Wilson, District Judge  
Jamaa Anthony Cinque  
Attorney General/Carson City  
Rands & South & Gardner/Reno  
Carson City Clerk