

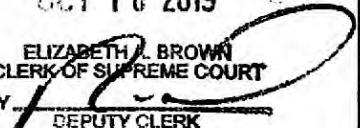
IN THE SUPREME COURT OF THE STATE OF NEVADA

TODD MATTHEW PHILLIPS,  
Appellant,  
vs.  
AMBER PHILLIPS,  
Respondent.

No. 78959

**FILED**

OCT 18 2019

ELIZABETH L. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order denying objections to the hearing master's decision and request for a new trial with respect to an extended order of protection. Eighth Judicial District Court, Family Court Division, Clark County; William S. Potter, Judge.

Review of the notices of appeal and documents before this court reveals a jurisdictional defect. It does not appear that the challenged order is substantively appealable. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court "may only consider appeals authorized by statute or court rule"). Appellant asserts in his docketing statement that the order is appealable under NRAP 3A(b)(3) (allowing an appeal from an order granting or refusing to grant an injunction or dissolving or refusing to dissolve an injunction), NRS 233B.150 (governing appeals pertaining to the Administrative Procedures Act), and NRAP 3A(b)(1) (allowing an appeal from a final judgment).

The challenged order arose from an action filed by respondent to obtain a temporary protection order against appellant based on allegations of domestic violence. However, a protection order is temporary in nature and not subject to review in this court by way of an appeal. *See generally In re Temporary Custody of Five Minor Children*, 105 Nev. 441,

777 P.2d 901 (1989) (stating that no appeal may be taken from a temporary order subject to periodic mandatory review). While an order denying a post-judgment motion for a new trial is appealable, NRAP 3A(b)(2), *Reno Hilton Resort Corp. v. Verderber*, 121 Nev. 1, 106 P.3d 134 (2005), no statute or court rule permits an appeal from an order denying a motion for a new trial addressed to a temporary, unappealable order.

Additionally, the district court's order indicates that the extended order for protection expired on September 17, 2019. Because it appears the protection order is no longer in effect, this appeal is moot. See *Personhood Nevada v. Bristol*, 126 Nev. 599, 245 P.3d 572, 574 (2010) (explaining that "[t]his court's duty is not to render advisory opinions but, rather, to resolve actual controversies" and dismissing appeal as moot).

Accordingly, this court

ORDERS this appeal DISMISSED.

Hardesty, J.  
Hardesty

Stiglich, J.  
Stiglich

Silver, J.  
Silver

cc: Hon. William S. Potter, District Judge, Family Court Division  
Todd Matthew Phillips  
McFarling Law Group  
Hutchison & Steffen, LLC/Las Vegas  
Eighth District Court Clerk