


IN THE SUPREME COURT OF THE STATE OF NEVADA

SILVA HINCH,
Appellant,
vs.
DUSTY JENSEN,
Respondent.

No. 84438

FILED

APR 08 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order granting a motion to modify custody of a minor child and from a district court order granting a motion for temporary sole custody of a minor child. Fourth Judicial District Court, Elko County; Alvin R. Kacin, Judge.

Review of the notice of appeal and documents before this court reveals a jurisdictional defect. Notice of entry of the order granting the motion to modify custody was served on appellant, via mail, on February 3, 2022. Thus, the notice of appeal was due to be filed in the district court by March 10, 2022. *See* NRAP 4(a)(1); NRCP 6(d). Appellant, however, did not file the notice of appeal in the district court until March 17, 2022. Further, an order awarding temporary custody of a minor child is not substantively appealable. *In re Temporary Custody of Five Minors*, 105 Nev. 441, 777 P.2d 901 (1989); *cf.* NRAP 3A(b)(7) (authorizing an appeal from a district court order finally establishing the custody of minor children). Accordingly, this court lacks jurisdiction, *see Healy v. Volkswagenwerk*, 103 Nev. 329, 330-31,

741 P.2d 432, 433 (1987) (this court lacks jurisdiction over an untimely notice of appeal), and

ORDERS this appeal DISMISSED.

Silver, J.
Silver

Cadish, J.
Cadish

Pickering, J.
Pickering

cc: Hon. Alvin R. Kacin, District Judge
Silva Hinch
Dusty Jensen
Elko County Clerk