

IN THE SUPREME COURT OF THE STATE OF NEVADA

JACQUELINE WEST,  
Appellant,  
vs.  
LARRY WEST, JR.,  
Respondent.

No. 84543

**FILED**

MAY 05 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from an order denying a motion to set aside the divorce decree. Eighth Judicial District Court, Clark County; Vincent Ochoa, 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. The district court docket entries reflect that appellant filed a timely motion for reconsideration on March 24, 2022. *See AA Primo Builders v. Washington*, 126 Nev. 578, 245 P.3d 1190 (2010) (a motion for reconsideration may be considered a tolling motion to alter or amend). The motion has not yet been resolved. A timely tolling motion terminates the 30-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). This court lacks jurisdiction and therefore

ORDERS this appeal DISMISSED.

Hardesty, J.  
Hardesty

Stiglich, J.  
Stiglich

Herndon, J.  
Herndon

cc: Hon. Vincent Ochoa, District Judge  
Jacqueline West  
Larry West, Jr.  
Eighth District Court Clerk