


IN THE SUPREME COURT OF THE STATE OF NEVADA

CESAR IVAN TORRES,  
Appellant,  
vs.  
MARIA DE JESUS TORRES,  
Respondent.

No. 84432

**FILED**

MAY 09 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a series of orders, including an order denying an amended motion for stay and award of attorney fees, and a divorce decree and award of attorney fees. Eighth Judicial District Court, Family Court Division, Clark County; Dedree Butler, Judge.

Review of the documents submitted to this court pursuant to NRAP 3(g) reveals two jurisdictional defects. Specifically, this court lacks jurisdiction over the appeal from the order denying the amended motion for stay and award of attorney fees. 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 order denying a motion for stay is not an appealable order. *See, e.g., Brunzell Constr. Co. v. Harrah's Club*, 81 Nev. 414, 404 P.2d 902 (1965) (no statute or court rule authorizes an appeal from an order denying a motion for stay).

Second, appellant previously appealed from the divorce decree, and this court dismissed the appeal as premature because a timely tolling motion had been filed in the district court but not resolved. *Torres v. Torres*, Docket No. 83677 (Order Dismissing Appeal, November 23, 2021). 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). Review of the district court docket entries reflects that the "Objection" filed on October 11, 2021, has still not been resolved by the district court. Accordingly, the appeal from the divorce decree remains premature, and this court

ORDERS this appeal DISMISSED.

*Silver*, J.  
Silver

*Cadish*, J.  
Cadish

*Pickering*, J.  
Pickering

cc: Hon. Dedree Butler, District Judge, Family Court Division  
Cesar Ivan Torres  
Jennifer Gastelum Law PLLC  
Eighth District Court Clerk