

IN THE SUPREME COURT OF THE STATE OF NEVADA

DOUGLAS ALAN GENNARDO,
Appellant,
vs.
NATALIE SUSAN GENNARDO,
Respondent.

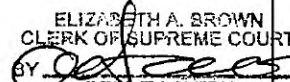
✓ No. 85089

NATALIE SUSAN GENNARDO,
Appellant,
vs.
DOUGLAS ALAN GENNARDO,
Respondent.

No. 85370

FILED

MAY 05 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL AND REGARDING MOTIONS

Natalie Gennardo filed a motion asking that this court instruct the district court that it has jurisdiction to enter orders necessary to enforce the divorce decree and address an alleged unadjudicated asset or fraudulent transfer despite the pendency of this appeal. Alternatively, Natalie requested that this matter be remanded to the district court to allow the court to enter orders regarding enforcement of the decree and address her omitted asset and fraudulent transfer claims. Respondent opposed the motion and appellant replied. The parties subsequently filed a joint motion informing this court that they have settled all financial issues in this matter but the custody issues raised in Natalie's appeal remain pending. The parties move to dismiss the appeal in Docket No. 85089, return the appeal in Docket No. 85370 to the fast track program, and remand this matter to allow the district court to adopt the parties' settlement agreement and allow the parties to implement that agreement.

The joint motion to dismiss the appeal in Docket No. 85089 is granted. The appeal in Docket No. 85089 dismissed. The parties shall bear their own costs. NRAP 42(b).

Because the parties represent that Natalie is not challenging any financial issues in her appeal, and Douglas's appeal of those issues has now been dismissed, the district court has jurisdiction to enter orders affecting the financial issues in this matter. *See Mack-Manley v. Manley*, 122 Nev. 849, 855, 138 P.3d 525, 529-30 (2006) (concluding that a district court lacked jurisdiction to rule on a motion to modify child custody where an appeal involving child custody issues was pending before this court but retained jurisdiction to enter orders regarding matters that did not affect the merits of the appeal). As the parties represent their settlement is only regarding the financial issues, a remand to enter an order regarding those issues is unnecessary. Therefore, Natalie's motion to instruct the district court or remand this matter, and the parties' joint motion for a limited remand, are denied.

The parties' joint motion to return the appeal in Docket No. 85370 to the fast track program is granted. The appeal shall proceed in accordance with the provisions of NRAP 3E. Natalie shall have 21 days from the date of this order to file and serve her fast track statement and appendix.¹ Thereafter, briefing shall proceed in accordance with NRAP 3E(d). Failure to timely file and serve the fast track statement and appendix may result in the imposition of sanctions. NRAP 3E(i).

¹The parties' motions for extensions of time to file the fast track statement and opening brief are denied as moot.

Karla M. Soto's motion for an extension of time to file transcripts in this matter is granted. NRAP 9(c)(4). Ms. Soto's certificate of delivery was filed on April 17, 2023.²

It is so ORDERED.

 Shiglin , C.J.

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Court Division
Israel Kunin, Settlement Judge
Pecos Law Group
Carman & Price
Karla Soto, Verbatim Reporting & Transcription
Eighth District Court Clerk

²Counsel is reminded that copies of all requests for transcripts must be filed in this court. See NRAP 9(a)(3)(A).