


IN THE SUPREME COURT OF THE STATE OF NEVADA

TAYLOR JOHNSON, AN INDIVIDUAL,
Appellant,
vs.
BRITTNEY MELENDEZ, AN
INDIVIDUAL,
Respondent.

No. 85897

FILED

MAY 30 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an amended judgment. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect. It appeared that the amended judgment identified in the notice of appeal was not substantively appealable. *Campos-Garcia v. Johnson*, 130 Nev. 610, 612, 331 P.3d 890, 891 (2014). Further, while appellant indicated in his docketing statement that this appeal challenged an order denying a motion to enforce a settlement agreement and set aside a default, no such order was identified in the notice of appeal, and it did not appear that any such order had been entered in the district court. Accordingly, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction.

In response, appellant does not dispute that this court lacks jurisdiction over the amended judgment identified in the notice of appeal. Appellant instead explains that an order denying the motion to enforce settlement agreement and set aside default was recently filed in the district court. He asserts that entry of the order “cured the potential jurisdictional defect.” Appellant also makes an argument related to NRCP 60(a).

The order identified in appellant's notice of appeal is not substantively appealable. And the notice of appeal cannot reasonably be construed to appeal from an order that was entered several months after the notice of appeal was filed. Accordingly, this court lacks jurisdiction over this appeal and orders it dismissed. Appellant may file a new notice of appeal from the district court order denying his motion to enforce settlement agreement and set aside default, if deemed warranted.¹

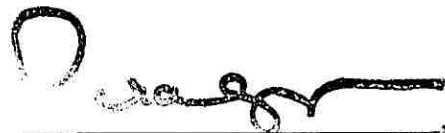
It is so ORDERED.



_____, J.
Herndon



_____, J.
Lee



_____, J.
Parraguirre

cc: Hon. Kathleen E. Delaney, District Judge
Eleissa C. Lavelle, Settlement Judge
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP/Las Vegas
Ayon Law, PLLC
Eighth District Court Clerk

¹This court expresses no opinion at this time regarding its jurisdiction to consider any such appeal.