

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF: Z. F. P. G., A
MINOR CHILD

No. 87218

MYISHA B.,
Appellant,
vs.
CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES,
Respondent.

FILED
JAN 10 2024
ELIZABETH B. BROWN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

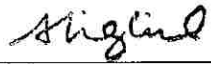
This is an appeal from a district court order denying appellant's motion for custody of, visitation with, and placement of a minor child. Eighth Judicial District Court, Clark County, Rhonda Kay Forsberg, Judge.

When initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect, this court ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. In particular, the challenged order was entered in a juvenile proceeding. Child custody orders arising from juvenile proceedings are not substantively appealable under NRAP 3A. *In re A.B.*, 128 Nev. 764, 769, 291 P.3d 122, 126 (2012), *citing Matter of Guardianship of N.S.*, 122 Nev. 305, 311, 130 P.3d 657, 661 (2006).


In response, appellant does not dispute that the challenged order is not substantively appealable. Instead, appellant asks that this court treat the appeal as a petition for a writ of mandamus. Respondent has not filed any reply. However, respondent filed a motion to dismiss this appeal, asserting that the challenged order is not substantively appealable. Counsel for the minor child joins the motion to dismiss.

The challenged order is not substantively appealable. *Matter of Guardianship of N.S.*, 122 Nev. at 311, 130 P.3d at 661 (a petition for a writ of mandamus is the appropriate manner to challenge a child custody order entered in a juvenile proceeding). Accordingly, this appeal is dismissed. See *Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court “may only consider appeals authorized by statute or court rule”). We decline to treat the notice of appeal as a petition for a writ of mandamus. However, nothing in this order prevents appellant from filing such a petition, if deemed warranted. Given the dismissal of this appeal, the motion to dismiss is denied as moot.

It is so ORDERED.


_____, J.
Stiglich


_____, J.
Pickering


_____, J.
Parraguirre

cc: Hon. Rhonda Kay Forsberg, District Judge
Robert W. Lueck, Ltd.
Clark County District Attorney's Office
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Eighth District Court Clerk