

IN THE SUPREME COURT OF THE STATE OF NEVADA

AUTUMN HOUSTON; AND STACY
HOUSTON, A/K/A STACY
LACAILLADE,
Appellants,
vs.
ARTIQUES HOME FURNISHINGS
AND HOME DECOR LLC, D/B/A
INSIDE INTERIORS,
Respondent.

No. 84851

FILED

OCT 04 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying an anti-SLAPP special motion to dismiss. Eighth Judicial District Court, Clark County; Veronica Barisich, Judge.

Initial review of the docketing statement and documents before this court revealed a potential jurisdictional defect. Specifically, it appeared that the notice of appeal was prematurely filed after the filing of a timely tolling motion for reconsideration, but prior to entry of a written order resolving the motion. See NRAP 4(a)(6); *AA Primo Builders, LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (describing when a motion for reconsideration carries tolling effect); *Lytle v. Rosemere Estates Prop. Owners Ass'n*, 129 Nev. 923, 927, 314 P.3d 946, 949 (2013) (a tolling motion directed at an independently appealable order carries tolling effect). Accordingly, this court directed appellants to show cause why this appeal should not be dismissed for lack of jurisdiction. The order cautioned appellants that failure to demonstrate that this court has jurisdiction could result in the dismissal of this appeal.

Appellants have filed a response to the order to show cause and agree that the motion for reconsideration remains pending below. It thus

appears that this court lacks jurisdiction to consider this appeal. See NRAP 4(a)(6) ("A premature notice of appeal does not divest the district court of jurisdiction."). Accordingly, this court

ORDERS this appeal DISMISSED.

 Maglino , C.J.

cc: Hon. Veronica Barisich, District Judge
Paul M. Haire, Settlement Judge
Pyatt Silvestri
The Law Office of Kristina Wildeveld & Associates
Prince Law Group
Eighth District Court Clerk