

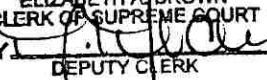
IN THE SUPREME COURT OF THE STATE OF NEVADA

NONA TOBIN, AN INDIVIDUAL,
Appellant,
vs.
RED ROCK FINANCIAL SERVICES,
Respondent.

No. 87183

FILED

NOV 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from several district court orders. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge; Eighth Judicial District Court, Clark County; Jessica K. Peterson, Judge.

Appellant has identified a series of challenged orders. This court's review of the orders appealed from and the documents before this court pursuant to NRAP 3(g), reveals various jurisdictional defects.

Specifically, the findings of fact, conclusions of law and order entered on May 30, 2023, with notice of entry filed on July 27, 2023, denying appellant's motion to disqualify a judge, is not an appealable order. This court has jurisdiction to consider an appeal only when the appeal is authorized by statute or court rule. *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).

The findings of fact, conclusions of law and orders entered on March 28, 2023, finding appellant to be a vexatious litigant and denying appellant's motion to reconsider the court's order denying summary judgment are not appealable. To the extent the order denying appellant's motion for reconsideration pursuant to NRCP 60(b) of the order entered on

September 10, 2021, could be construed as an appealable order, the notice of appeal, filed on August 22, 2023, is untimely. This court lacks jurisdiction over an appeal filed more than 30 days after service of written notice of entry of the judgment or order appealed from. *See* NRAP 4(a)(1); NRAP 26(c); *Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev. 329, 331, 741 P.2d 432, 433 (1987) (an untimely notice of appeal fails to vest jurisdiction in this court).

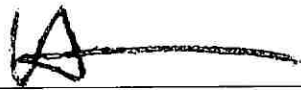
Appellant's appeal from the findings of facts, conclusions of law and orders entered on January 9, 2023, with notice of entry filed on January 10, 2023, as corrected by the order entered on January 16, 2023, with notice of entry filed on January 17, 2023, granting in part and denying in part appellant's motion to distribute interpleaded funds and granting in part respondent's motion for abuse of process, is untimely. NRAP 4(a).

Appellant's challenge of the findings of facts, conclusions of law and order entered May 25, 2022, with notice of entry filed on May 25, 2022, denying appellant's motion to set aside dismissal orders pursuant to NRCP 60(b)(3), is untimely. The findings of facts, conclusions of law and order entered November 30, 2021, denying appellant's motion for entry of default, is not an appealable order, and the notice of appeal is untimely in relation to that order. NRAP 4(a).


Finally, it appears that the district court has not yet entered a final written judgment adjudicating all the rights and liabilities of all the parties, and the district court did not certify any of the orders appealed from as final pursuant to NRCP 54(b). *Lee v. GNLV Corp.*, 116 Nev. 424, 996 P.2d 416 (2000); *KDI Sylvan Pools v. Workman*, 107 Nev. 340, 810 P.2d 1217 (1991); *Rae v. All American Life & Cas. Co.*, 95 Nev. 920, 605 P.2d 196

(1979). Claims between the parties remain pending below. Accordingly, this court lacks jurisdiction over the challenged orders and

ORDERS this appeal DISMISSED.¹


_____, J.
Herndon


_____, J.
Lee


_____, J.
Parraguirre

cc: Hon. Jerry A. Wiese, Chief Judge
Hon. Jessica K. Peterson, District Judge
Nona Tobin
King Scow Koch Durham LLC
Eighth District Court Clerk

¹Given this dismissal, the court takes no action in regard to the documents filed on September 5 and 8, 2023, and November 13, 2023.