

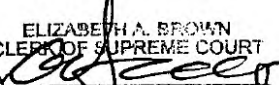
IN THE SUPREME COURT OF THE STATE OF NEVADA

VALERIE ALLEN,  
Appellant,  
vs.  
JASHI MARK ALLEN,  
Respondent.

No. 87617

FILED

DEC 12 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from district court orders purportedly entered on October 3, 2023, and October 26, 2023, pertaining to appellant's "ReNotice of Motion for Property Issues, Contempt, Motion to Set Aside, Spousal Support." Eighth Judicial District Court, Clark County; Vincent Ochoa, Judge.

Review of the notices of appeal and documents before this court reveals jurisdictional defects. On May 26, 2023, appellant filed a motion to set aside the parties' decree of divorce; the motion also included a request to recuse the district court judge. On August 11, 2023, the chief district court judge entered an order denying the request to disqualify and stated that the additional relief requested in the motion should be decided by the assigned judge. Appellant filed a re-notice of her May 26, 2023, motion on August 28, 2023. On October 3, 2023, the district court entered the challenged order finding that the re-notice of the May 26, 2023, motion was moot because the chief judge already denied the request to disqualify. The order also directs that the August 28, 2023, motion be taken off calendar. Under these circumstances, it does not appear the district court's October 3, 2023, order formally resolves appellant's motion to set aside the decree of divorce. Accordingly, the order is not appealable as an order denying a motion for relief under NRCP 60(b). See *Holiday Inn v. Barnett*, 103 Nev. 60, 63, 732 P.2d 1376, 1379 (1987) (allowing

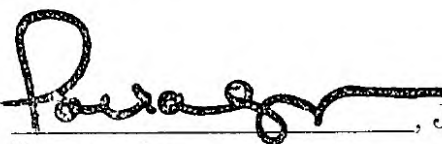
an appeal from an order denying a motion to vacate an order pursuant to NRCP 60(b)(3)). In addition, no statute or court rule allows an appeal from an order finding that a motion to re-notice a motion to disqualify the judge is moot. *See Brown v. MHC Stagecoach, LLC*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (this court “may only consider appeals authorized by statute or court rule”).

Regarding appellant’s appeal of a purported October 26, 2023, order, it does not appear that any order was entered in the district court on that date. To the extent appellant appeals from the minute order issued on October 26, 2023, the minute order is not effective and cannot be appealed. *See Div. of Child & Family Servs. v. Eighth Judicial Dist. Court*, 120 Nev. 445, 454, 92 P.3d 1239, 1245 (2004) (“[D]ispositional court orders that are not administrative in nature, but deal with the procedural posture or merits of the underlying controversy, must be written, signed, and filed before they become effective”). To the extent appellant appeals from the November 3, 2023, order entered after the October 26, 2023, hearing, the order is not substantively appealable as no statute or court rule permits an appeal from a district court order denying a motion for reconsideration of an order denying a motion to disqualify a judge. *See Brown*, 129 Nev. at 345, 301 P.3d at 851. Accordingly, this court lacks jurisdiction and

ORDERS this appeal DISMISSED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Herndon

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Parraguirre

<sup>1</sup>Appellant may file a new notice of appeal once the district court enters a written order resolving appellant’s May 26, 2023, “Motion to Set Aside Order, Judgment, and/or Default.”

cc: Hon. Vincent Ochoa, District Judge  
Valerie Allen  
The Law Office of Dan M. Winder, P.C.  
Eighth District Court Clerk