

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL DAVID DYDZAK,
Appellant,

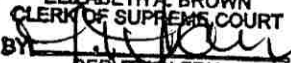
vs.

TANI CANTIL-SAKAUYE; JORGE
NAVARRETE; WILLIAM DATO;
THOMAS LAYTON AKA TOM LAYTON;
CHARLES SCHWAB; JOHNNIE B.
RAWLINSON; BARRY G. SILVERMAN;
WILLIAM A. FLETCHER; 1ST
CENTURY BANK; 1ST CENTURY
BACSHARES, INC.; MAXINE M.
CHESNEY; A. WALLACE TASHIMA;
FERDINAND FRANCIS FERNANDEZ;
KIM MCCLANE WARDLAW; WILLIAM
C. CANBY; RONALD M. GOULD;
RICHARD C. TALLMAN; PETER LIND
SHAW; EDWARD EPHRAIM
SCHIFFER; SIDNEY R. THOMAS;
MOLLY C. DWYER; GEORGE H. KING;
DONALD F. MILES; RONALD M.
GEORGE; ERIC M. GEORGE; AND
ALAN I. ROTHENBERG,
Respondents.

No. 87164

FILED

DEC 22 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order granting a motion to dismiss. Eighth Judicial District Court, Clark County; Nancy L. Allf, Judge.

Review of the notice of appeal and documents before this court reveals a jurisdictional defect. It appears that the challenged order is not a final judgment appealable under NRAP 3A(b)(1). “[A] final judgment is one that disposes of all the issues presented in the case, and leaves nothing for the future consideration of the court, except for post-judgment issues such


as attorney's fees and costs." *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000). As this court noted in its order dismissing appellant's previous appeal, the challenged order grants a motion to dismiss filed by two defendants and does not appear to dismiss the complaint in its entirety. *See Dydzak v. Cantil-Sakaue*, No. 84868, 2022 WL 4002920 (Order Dismissing Appeal, Sep. 1, 2022).

Further, to the extent the district court's June 29, 2022, order to statistically close the case could be construed as a final judgment, the notice of appeal, filed on August 21, 2023, is untimely. *See* NRAP 4(a)(1); NRCP 6; *see also Brown v. MHC Stagecoach*, 129 Nev. 343, 345, 301 P.3d 850, 851 (2013) (explaining that although no statute or court rule directly authorizes an appeal from an order statistically closing a case, if the order constitutes a final judgment, then it is substantively appealable). This court lacks jurisdiction over an untimely appeal. *Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev. 329, 741 P.2d 432 (1987). Accordingly, this court

ORDERS this appeal DISMISSED.¹


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Bell

¹Given this order, appellant's untimely motion for an extension to file and serve the docketing statement is denied as moot.

cc: Hon. Nancy L. Alf, District Judge
Daniel David Dydzak
1st Century Bacshares, Inc.
1st Century Bank
A. Wallace Tashima
Alan I. Rothenberg
Barry G. Silverman
Charles Schwab
Marquis Aurbach Chtd.
Eric M. George
Ferdinand Francis Fernandez
United States Attorney, District of Nevada
Johnnie B. Rawlinson
Kim McClane Wardlaw
Maxine M. Chesney
Richard C. Tallman
Ronald M. George
Ronald M. Gould
Olson, Cannon, Gormley, & Stoberski
Thomas Layton
William A. Fletcher
William C. Canby
Eighth District Court Clerk