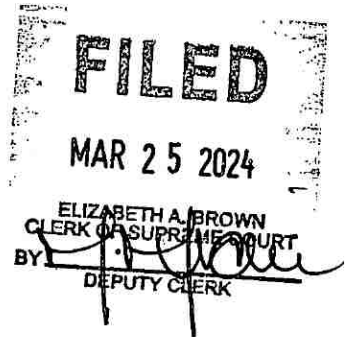


IN THE SUPREME COURT OF THE STATE OF NEVADA

ARRY KALOUSTIAN,  
Appellant,  
vs.  
EDITH MONTANO,  
Respondent.

No. 88259



*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order in a custody matter. Eighth Judicial District Court, Family Division, Clark County; T. Arthur Ritchie, Jr., Judge.

Review of the notice of appeal and documents before this court reveals a jurisdictional defect. The notice of appeal was prematurely filed in the district court after the filing of a timely tolling motion seeking reconsideration of the challenged order, *see* NRAP 4(a)(4) (regarding tolling motions); *AA Primo Builders LLC v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (describing when a post-judgment motion carries tolling effect), but prior to entry of a written order finally resolving that motion. To date, it appears the motion remains pending in the district court. This court lacks jurisdiction over a premature notice of appeal. NRAP 4(a)(6) ("A

premature notice of appeal does not divest the district court of jurisdiction.”).  
Accordingly, we

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



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



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



\_\_\_\_\_, J.  
Bell

cc: Hon. T. Arthur Ritchie, Jr., District Judge, Family Division  
Arry Kaloustian  
Leavitt Law Firm  
Eighth District Court Clerk

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<sup>1</sup>Appellant may file a new notice of appeal once the district court enters a written order finally resolving the motion for reconsideration.