

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE W.N.
CONNELL AND MARJORIE T.
CONNELL LIVING TRUST, DATED
MAY 18, 1972, AN INTER VIVOS
IRREVOCABLE TRUST.

JACQUELINE M. MONTOYA; AND
KATHRYN A. BOUVIER,

Appellants,

vs.

ELEANOR CONNELL HARTMAN
AHERN; AND FREDERICK P. WAID,
COURT-APPOINTED TRUSTEE,

Respondents.

No. 69737

FILED

APR 15 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DENYING MOTION FOR STAY AND
ORDER TO SHOW CAUSE*

This is an appeal from a district court order instructing a trustee to advance funds from a trust. Appellants have filed a motion to stay the order pending appeal.¹ Having considered the motion, response, and reply, we conclude that a stay is not warranted. See NRAP 8(c). Accordingly, we deny the motion.

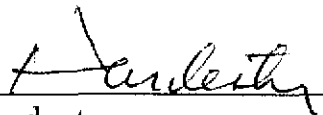
Our initial review of the documents before this court reveals a potential jurisdictional defect. It appears that the notice of appeal was prematurely filed after the timely filing of a tolling motion seeking


¹The motion for leave to file a motion in excess of the page limitation is denied as moot.


Although the motion was captioned as an emergency, we conclude that it does not warrant treatment as an emergency under NRAP 27(e).

reconsideration and before that tolling motion was resolved. *See* NRAP 4(a)(6); *AA Primo Builders v. Washington*, 126 Nev. 578, 585, 245 P.3d 1190, 1195 (2010) (recognizing that a timely filed motion for reconsideration may toll the appeal period). It is not clear whether a formal written order resolving the tolling motion has been entered. Accordingly, appellants shall have 10 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. In responding to this order, appellants should submit documentation that establishes this court's jurisdiction including, but not necessarily limited to, a copy of any written district court order resolving the tolling motion. Respondents may file any reply within 5 days of service of appellants' response. We caution appellants that failure to demonstrate that this court has jurisdiction may result in the dismissal of this appeal.

It is so ORDERED.


Hardesty, J.


Saitta, J.


Pickering, J.

cc: The Rushforth Firm, Ltd.
Brownstein Hyatt Farber Schreck, LLP/Las Vegas
Hutchison & Steffen, LLC