

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRYAN MICHAEL FERGASON,
Appellant,
vs.
LAS VEGAS METROPOLITAN POLICE
DEPARTMENT,
Respondent.

No. 72640

FILED

MAY 05 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

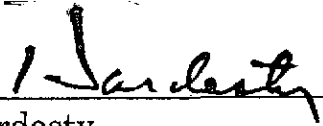
This is a pro se appeal from an order granting respondent's motion for summary judgment. Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

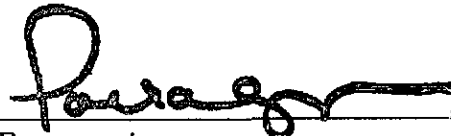
Our review of the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was filed after the timely filing of a tolling motion under NRAP 4(a)(2) and before the tolling motion was formally resolved. A timely tolling motion terminates the thirty-day appeal period, and a notice of appeal is of no effect if it is filed after such a tolling motion is filed, and before the district court enters a written order finally resolving the motion. See NRAP 4(a)(2). It appears that the district court denied the motion for reconsideration on April 17, 2017, but no written order has been entered. A district court's minute order is ineffective for any purpose and cannot be appealed, and a written order or judgment must be filed

before a district court ruling can be appealed. *See Rust v. Clark Cty. School District*, 103 Nev. 686, 747 P.2d 1380 (1987).

We conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED.¹

, J.
Hardesty

, J.
Parraguirre

, J.
Stiglich

cc: Hon. Douglas Smith, District Judge
Bryan Michael Fergason
Marquis Aurbach Coffing
Matthew J. Christian
Clark County District Attorney
Eighth District Court Clerk

¹We deny as moot respondent's motion to dismiss.