

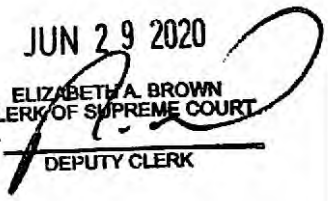
IN THE SUPREME COURT OF THE STATE OF NEVADA

GRADY EDWARD BYRD,
Appellant,
vs.
CATERINA ANGELA BYRD,
Respondent.

No. 81198

FILED

JUN 29 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER TO SHOW CAUSE

This is an appeal from district court orders awarding attorney fees. Initial review of the notice of appeal and the docketing statement reveals a potential jurisdictional defect. It appears the notice of appeal was untimely filed.

Notice of entry of the challenged orders was served on March 18 and 27, 2020, respectively. Thus, the notices of appeal were due to be filed in the district court by April 17 and 27, 2020, respectively. See NRAP 4(a)(1). However, appellant did not file the notice of appeal until May 14, 2020, well past the deadline. Appellant suggests in his docketing statement that the notice of appeal is timely pursuant to the governor's Declaration of Emergency Directive 009 (Revised). Section 2 of that directive states that "[a]ny specific time limit set by state statute or regulation for the commencement of any legal action is hereby tolled from [April 1, 2020] until 30 days from the date the state of emergency declared on March 12, 2020 is terminated." The time limitation to file a notice of appeal is not established by state statute or regulation, but by court rule. Thus, the directive does not appear to apply to the time to file a notice of appeal.

Accordingly, appellant shall have 30 days from the date of this order to show cause why this appeal should not be dismissed for lack of

jurisdiction. *See Winston Products Co. v. DeBoer*, 122 Nev. 517, 519, 134 P.3d 726, 728 (2006) (this court lacks jurisdiction over an untimely appeal). Respondent may file any reply within 14 days of service of appellant's response. Failure to demonstrate that this court has jurisdiction may result in the dismissal of this appeal.

The deadlines to file documents in this appeal are suspended pending further order of this court.

It is so ORDERED.

Pickering, C.J.

cc: Mills & Anderson Law Group
Webster & Associates