

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO: L. I., MINOR UNDER
18 YEARS OF AGE.

No. 83673

CODY B.,
Appellant,
vs.
STATE OF NEVADA DEPARTMENT
OF FAMILY SERVICES; AND L. I.,
MINOR UNDER 18 YEARS OF AGE,
Respondents.

FILED

NOV 04 2021

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

O R D E R

This pro se appeal was docketed in this court on October 25, 2021, without payment of the requisite filing fee. On that same day, this court issued a notice directing appellant to pay the required filing fee or demonstrate compliance with NRAP 24 within ten days. On November 4, 2021, appellant filed a letter informing this court that he is unable to pay the fee at this time.

To the extent appellant's letter can be construed as a motion to proceed in forma pauperis, NRAP 24(a) provides that a request for in forma pauperis status must first be presented to the district court. If the district court grants the request, an appellant may proceed in this court without prepayment of fees or costs. If the district court denies the request, it must state in writing the reasons for its decision. A motion for leave to proceed in forma pauperis may then be filed in this court within 30 days after notice of the district court's decision is served. See NRAP 24(a)(5)(A). Under NRAP 24(a), an appellant may not seek in forma pauperis status from this court before the matter has been finally resolved by the district court.

Accordingly, to the extent appellant's letter can be construed as a motion for leave to proceed in forma pauperis, it is denied without prejudice. Appellant must first seek leave to proceed in forma pauperis in the district court following the procedures outlined in NRAP 24. If an application to proceed in forma pauperis has already been filed in the district court of which this court is unaware, the district court shall, within 30 days of the date of this order, provide this court a certified copy of its order ruling on the application.

Appellant shall have 30 days from the date of this order to file an application to proceed in forma pauperis in the district court and file a file-stamped copy of the application in this court or pay the filing fee. Appellant is cautioned that failure either to properly seek leave to proceed in forma pauperis in the district court or to pay the filing fee within 30 days will result in the dismissal of this appeal.

It is so ORDERED.

1 Hardesty, C.J.
Hardesty

cc: Hon. Robert Teuton, District Judge, Family Court Division
Cody B.
Clark County District Attorney/Juvenile Division
Legal Aid Center of Southern Nevada, Inc.
Eighth District Court Clerk