

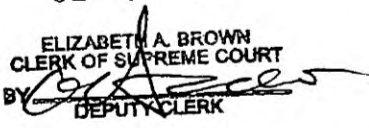
IN THE SUPREME COURT OF THE STATE OF NEVADA

MAGGIE ROE, N/K/A MAGGIE COX,
Appellant,
vs.
JASON J. ROE,
Respondent.

No. 84893

FILED

SEP 06 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER REINSTATING BRIEFING

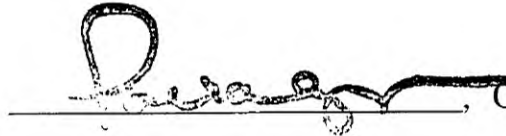
This is an appeal from an order modifying child custody. This court's preliminary jurisdictional review indicated that appellant had not appealed from the district court's final order, and this court entered an order to show cause why the appeal should not be dismissed. Appellant has responded to this court's order to show cause and explains that while the notice of appeal correctly challenged the district court's decision arising from the multi-day evidentiary hearing, it inadvertently identified the court's preliminary order rather than the final order. Respondent has filed a reply arguing that the appeal should be dismissed as untimely.

Having considered the documents on file with this court pursuant to NRAP 3(g), appellant's response to the order to show cause, respondent's reply, and the fact that appellant attached the May 18, 2022, final findings of fact and conclusions of law to the docketing statement as the order appealed from, this court concludes that the notice of appeal is adequate to establish this court's jurisdiction. *See Forman v. Eagle Thrifty Drugs & Markets, Inc.*, 89 Nev. 533, 536, 516 P.2d 1234, 1236 (1973), *overruled on other grounds by Garvin v. Ninth Judicial Dist. Court*, 118 Nev. 749, 59 P.3d 1180 (2002) (stating that the notice of appeal "should not

be used as a technical trap for the unwary draftsman," and a "defective notice of appeal should not warrant dismissal for want of jurisdiction where the intention to appeal from a specific judgment may be reasonably inferred from the text of the notice and where the defect has not materially misled" respondent).

This appeal may proceed and respondent's request to dismiss the appeal is denied. The deadlines for filing documents are reinstated as follows. Appellant shall have 7 days from the date of this order to file and serve a rough draft transcript request form or certificate that no transcripts will be requested. NRAP 3E(c)(2)(A). Appellant shall have 40 days from the date of this order to file and serve the fast track statement and appendix. Thereafter, briefing shall proceed in accordance with the provisions in NRAP 3E(d).

It is so ORDERED.

 , C.J.

cc: Roberts Stoffel Family Law Group
Page Law Firm