

IN THE UTAH COURT OF APPEALS

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Bonnie Huyot-Renoir,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Plaintiff and Appellant,	)	
	)	Case No. 20070369-CA
v.	)	
	)	
Corporation of the President	)	F I L E D
of the Church of Jesus Christ	)	(July 19, 2007)
of Latter-day Saints, Sterling	)	
D. Angle, and Gary Hanson,	)	2007 UT App 252
	)	
Defendants and Appellees.	)	

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Fourth District, Heber Department, 040500468  
The Honorable Derek P. Pullan

Attorneys: Bonnie Huyot-Renoir, Salt Lake City, Appellant Pro Se  
Thomas D. Walk and Christian S. Collins, Salt Lake  
City, for Appellees

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Before Judges Davis, McHugh, and Thorne.

PER CURIAM:

Bonnie Huyot-Renoir appeals from certain orders entered by the district court. This matter is before the court on its sua sponte motion for summary disposition. See Utah R. App. P. 10(e). We affirm.

The district court entered its order granting summary judgment on February 15, 2007 (the summary judgment order). Huyot-Renoir subsequently filed a Motion to Reconsider Summary Judgment on March 7, 2007. On March 29, Huyot-Renoir also filed a motion for enlargement of time to file her notice of appeal. On April 9, the district court denied each postjudgment motion on the basis that the Utah Supreme Court "absolutely reject[ed]" the practice of filing motions to reconsider. Gillett v. Price, 2006 UT 24, ¶1, 235 P.3d 861. Huyot-Renoir filed a notice of appeal on May 3, 2007.

A notice of appeal must be filed "with the clerk of the trial court within 30 days after the date of entry of the

judgment or order appealed from." Utah R. App. P. 4(a). If an appeal is not timely filed, this court lacks jurisdiction to hear the appeal and must dismiss. See Serrato v. Utah Transit Auth., 2000 UT App 299, ¶7, 13 P.3d 616. Thus, to the extent Huyot-Renoir appeals from the summary judgment order, her notice of appeal was not timely.

Moreover, the Utah Supreme Court not only "absolutely reject[ed] the practice of filing postjudgment motions to reconsider," Gillett, 2006 UT 24 at ¶1, but specifically warned that "future filings of postjudgment motions to reconsider will not toll the time for appeal." Id. Thus, Huyot-Renoir's postjudgment motion to reconsider did not extend the period for filing a notice of appeal, see id., and she has made no showing that the district court erred when it denied the motion to reconsider. We also hold that Huyot-Renoir's motion to extend the time for filing the notice of appeal was correctly denied by the district court for the same reason. See Utah R. App. P. 4(e) (extension of time requires showing of "excusable neglect or good cause").

Accordingly, to the extent Huyot-Renoir appeals the summary judgment order, the appeal is dismissed. To the extent Huyot-Renoir appeals the district court's postjudgment rulings, we affirm.

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James Z. Davis, Judge

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Carolyn B. McHugh, Judge

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William A. Thorne Jr., Judge