

Rule 62. Stay of Proceedings to Enforce a Judgment

(a) Automatic Stay; Exceptions for Injunctions and Receiverships.

(1) **In General.** Except as stated in this rule, no execution may issue on a judgment, nor may proceedings be taken to enforce it, until 30 days have passed after service of written notice of its entry, unless the court orders otherwise.

(2) **Exceptions for Injunctions and Receiverships.** An interlocutory or final judgment in an action for an injunction or a receivership is not automatically stayed, unless the court orders otherwise.

(b) **Stay Pending the Disposition of Certain Postjudgment Motions.** On appropriate terms for the opposing party's security, the court may stay execution on a judgment—or any proceedings to enforce it—pending disposition of any of the following motions:

- (1) under Rule 50, for judgment as a matter of law;
- (2) under Rule 52(b), to amend the findings or for additional findings;
- (3) under Rule 59, for a new trial or to alter or amend a judgment; or
- (4) under Rule 60, for relief from a judgment or order.

(c) **Injunction Pending an Appeal.** While an appeal is pending from an interlocutory order or final judgment that grants or refuses to grant, or dissolves or refuses to dissolve, an injunction, the court may stay, suspend, modify, restore, or grant an injunction on terms for bond or other terms that secure the opposing party's rights.

(d) **Stay Pending an Appeal by Bond or Other Security.** If an appeal is taken, a party is entitled to a stay by providing a bond or other security. Unless the court orders otherwise, the stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security.

(e) **Stay Without Bond on Appeal by the State or Agency or Officer thereof.** When an appeal is taken by the State or by any county, city, or town within

the State, or an officer or agency thereof and the operation or enforcement of the judgment is stayed, no bond, obligation, or other security shall be required from the appellant.

(f) Reserved.

(g) Appellate Court's Power Not Limited. This rule does not limit the power of an appellate court or one of its judges or justices:

(1) to stay proceedings—or suspend, modify, restore, or grant an injunction—while an appeal is pending; or

(2) to issue an order to preserve the status quo or the effectiveness of the judgment to be entered.

(h) Stay with Multiple Claims or Parties. A court may stay the enforcement of a final judgment entered under Rule 54(b) until it enters a later judgment or judgments, and may prescribe terms necessary to secure the benefit of the stayed judgment for the party in whose favor it was entered.

Advisory Committee Note—2018 Amendment

The revisions to Rule 62 are both stylistic and substantive. Rule 62(a) retains the automatic stay provisions and exceptions in prior NRCP 62(a) but updates the language and, tracking the 2018 amendments to FRCP 62(a), extends the automatic stay provided by NRCP 62(a)(1) from 10 to 30 days. The changes to NRCP 62(b) and (c) are stylistic.

NRCP 62(d) is revised to conform to FRCP 62(d). Formerly, NRCP 62(d) provided that a stay of money judgment became effective on filing the supersedeas bond. As amended, NRCP 62(d) mirrors FRCP 62(d) and provides the stay takes effect when the court approves the bond.

Rule 62(e) retains the prior NRCP 62(e). Rules 62(e) and (f) were stylistically updated consistent with FRCP 62(e) and (f).