

IN THE SUPREME COURT OF THE STATE OF NEVADA


EVER JOSELIN AREVALO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43858

FILED

SEP 17 2004


ORDER DISMISSING APPEAL


JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Michael A. Cherry, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on June 14, 2004. The district court served notice of entry of that order on appellant on June 15, 2004. Appellant did not file the notice of appeal, however, until August 26, 2004, well after the expiration of the thirty-day appeal period prescribed by NRS 34.575. An untimely notice of appeal fails to vest jurisdiction in this court.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

cc: Hon. Michael A. Cherry, District Judge
Ever Joselin Arevalo
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk