

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ALLEN CAPRI,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45965

FILED

OCT 18 2005

ORDER DISMISSING APPEAL

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a petition for injunctive relief. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on July 21, 2005. The district court served notice of entry of that order on appellant on July 22, 2005. Appellant did not file the notice of appeal, however, until September 14, 2005, well after the expiration of appeal period. 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.

Maupin, J.

Maupin
Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

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

cc: Hon. Sally L. Loehrer, District Judge
Richard Allen Capri
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk