

IN THE SUPREME COURT OF THE STATE OF NEVADA

CECILIA R. DIZON,
Appellant,
vs.
EL DORADO HOTEL, INC.,
Respondent.

No. 49039

FILED

MAY 02 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Bloom*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order dismissing the underlying case and striking an amended complaint. Second Judicial District Court, Washoe County; Steven R. Kosach, Judge.


Respondent has moved to dismiss this appeal, arguing that the notice of appeal was untimely filed, and therefore this court lacks jurisdiction to consider the appeal. Appellant has not opposed the motion. We agree with respondent that the appeal is untimely, and therefore we grant the motion to dismiss.

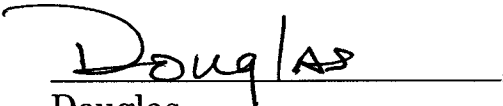
Notice of entry of the district court's March 7, 2005 order dismissing the underlying case and striking the amended complaint was served on appellant via U.S. mail on March 9, 2005. Because service of the notice of entry was by mail, appellant had thirty-three days from the date of service to file her notice of appeal.¹ Appellant's notice of appeal was therefore due to be filed in the district court on or before April 11, 2005. Appellant filed her notice of appeal in the district court on March 2, 2007, almost two years after the challenged order's notice of entry was

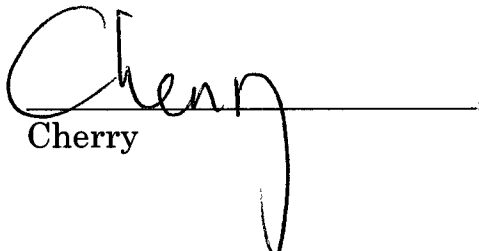
¹See NRAP 4(a)(1); NRAP 26(c).

served, and well beyond the thirty-three day period for filing her notice of appeal from that order. We therefore conclude that we lack jurisdiction over this appeal, and we

ORDER this appeal DISMISSED.²


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Steven R. Kosach, District Judge
Cecilia R. Dizon
McDonald Carano Wilson LLP/Reno
Washoe District Court Clerk

²In light of this order, we deny appellant's March 15, 2007 request for transcripts as moot.