

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO K. D. Y.

No. 49437

KAREN M. T.,
Appellant,
vs.
CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES,
Respondent.

FILED

AUG 08 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY J. Alvarado
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order terminating parental rights. Eighth Judicial District Court, Family Court Division, Clark County; Gerald W. Hardcastle, Judge.


Notice of entry of the district court's March 23, 2007 order was served on appellant's district court counsel by respondent's counsel via U.S. mail on March 26, 2007. 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 28, 2007 (Saturday) and thus was due on April 30, 2007 (Monday).² Appellant filed her notice of appeal on May 8, 2007, which was eight days after the thirty-three day period for

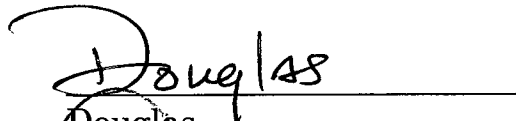
¹See NRAP 4(a)(1); NRAP 26(c).

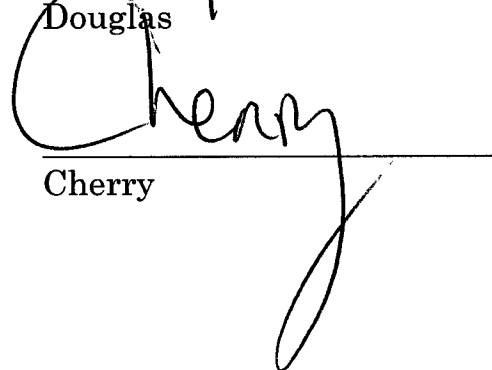
²See NRCP 6(a).

filing her notice of appeal had run. Since appellant's notice of appeal was untimely filed, we lack jurisdiction to consider this appeal.³ Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Gerald W. Hardcastle, District Judge, Family Court Division
Karen M. T.
Clark County District Attorney David J. Roger/Juvenile Division
Eighth District Court Clerk

³See Healy v. Volkswagenwerk, 103 Nev. 329, 741 P.2d 432 (1987) (noting that an untimely notice of appeal fails to vest jurisdiction in this court).

⁴In light of this order we deny, as moot, respondent's July 30, 2007 motion to dismiss this appeal.