

IN THE SUPREME COURT OF THE STATE OF NEVADA

LOREN DAVID SELL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 50469

**FILED**

DEC 10 2007

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY J. Lozada  
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; Jennifer Togliatti, Judge.

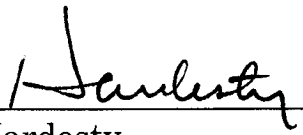
Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on December 29, 2005. The district court served notice of entry of that order on appellant on January 3, 2006. Appellant did not file the notice of appeal, however, until November 1, 2007, 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.<sup>1</sup>

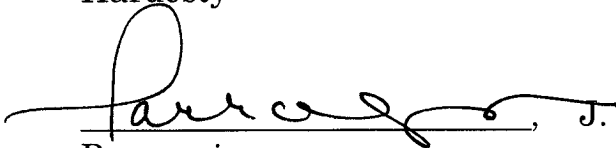
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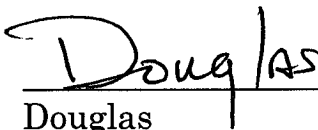
<sup>1</sup>See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

Accordingly, we conclude that we lack jurisdiction to consider this appeal,  
and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Jennifer Togliatti, District Judge  
Loren David Sell  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk