

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN PERRY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 51245

**FILED**

APR 18 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER DISMISSING APPEAL


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; Michelle Leavitt, Judge.

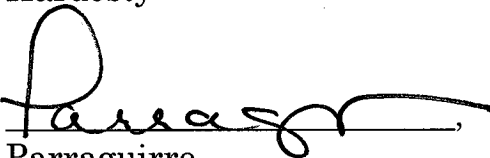
Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on June 25, 2007. The district court served notice of entry of that order on appellant on June 25, 2007. Appellant did not file the notice of appeal, however, until March 5, 2008, 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> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

  
Gibbons, C.J.  
Gibbons

  
Hardesty, J.  
Hardesty

  
Parraguirre, J.  
Parraguirre

cc: Hon. Michelle Leavitt, District Judge  
Steven Perry  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk

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