

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROY CALVIN TISDALE A/K/A CALVIN  
ROY TISDALE,  
Appellant,  
vs.  
CREEL PRINTING & PUBLISHING  
COMPANY, INC., AND ALLAN CREEL,  
Respondents.

No. 52155

**FILED**

OCT 10 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from district court orders granting a motion to dismiss and denying reconsideration. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. This court has jurisdiction to consider appeals only when authorized by statute or court rule.<sup>1</sup> Appellant's notice of appeal indicates that he is challenging a July 22, 2008, judgment of conviction. No such judgment appears to have been entered in the underlying district court case. Rather, appellant appears to challenge a July 2, 2008, order denying reconsideration. An order denying reconsideration is not appealable.<sup>2</sup> Additionally, to the extent that appellant's notice of appeal can be construed as challenging the January 25, 2008, final judgment, appellant's notice of appeal is untimely as to this

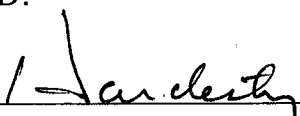
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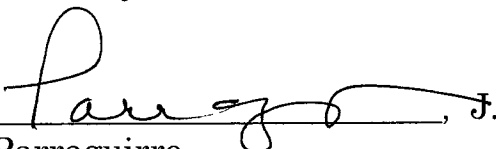
<sup>1</sup>Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984).

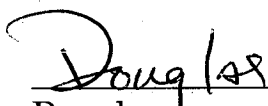
<sup>2</sup>Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983).

order. Notice of entry of the January 25, 2008, order was served by mail on February 13, 2008. Appellant's notice of appeal from the order was therefore due to be filed in the district court by March 17, 2008.<sup>3</sup> Because appellant did not file his notice of appeal until July 25, 2008, his notice of appeal is untimely as to this order and fails to vest jurisdiction in this court.<sup>4</sup>

Accordingly, as we lack jurisdiction to consider this appeal, we ORDER this appeal DISMISSED.

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

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

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

cc: Hon. Lee A. Gates, District Judge  
Roy Calvin Tisdale  
Lionel Sawyer & Collins/Las Vegas  
Eighth District Court Clerk

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<sup>3</sup>See NRAP 4(a)(1) (stating that a notice of appeal must be filed in the district court no later than 30 days after service of written notice of entry of the challenged order); NRAP 26(c) (providing an additional three days when notice of entry is served by mail).

<sup>4</sup>Healy v. Volkswagenwerk, 103 Nev. 329, 741 P.2d 432 (1987).