

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEANGELO JOHNSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52237

FILED

SEP 15 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

ORDER DISMISSING APPEAL

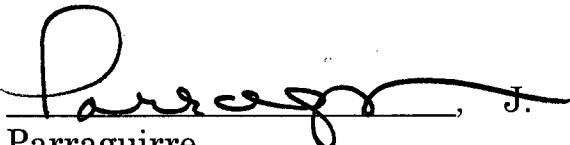
This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

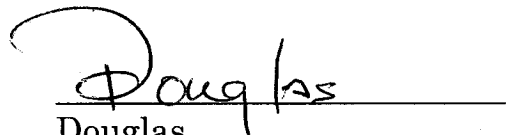
Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on September 13, 2007. The district court served notice of entry of that order on appellant on September 14, 2007. Appellant did not file the notice of appeal, however, until August 11, 2008, well after the expiration of the thirty-day appeal period prescribed by NRS 34.575. "[A]n untimely

notice of appeal fails to vest jurisdiction in this court.”¹ 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. Sally L. Loehrer, District Judge
DeAngelo Johnson
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

¹Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994).