

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 34727

JAMES L. ROBERTS,

Appellant,

vs.

EMPLOYERS INSURANCE COMPANY OF
NEVADA, AN AGENCY OF THE STATE OF
NEVADA,

Respondent.

FILED

SEP 17 1999

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying appellant's petition for judicial review. Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. Specifically, appellant's notice of appeal was not timely filed.

The challenged order was filed on July 6, 1999, and notice of entry of that order was served by mail on July 8, 1999. Given three days for mailing pursuant to NRAP 26(c), and thirty days within which to file the notice of appeal pursuant to NRAP 4(a)(1), the notice of appeal must have been filed no later than August 10, 1999. However, the record reflects that the notice of appeal was not filed until August 23, 1999. An untimely notice of appeal fails to vest jurisdiction in this court. *Healy v. Volkswagenwerk*, 103 Nev. 329, 741 P.2d 432 (1987). We therefore conclude that we are without jurisdiction to consider this appeal, and we

ORDER this appeal dismissed.

Rose
_____, C.J.
Rose

Maupin
_____, J.
Maupin

Shearing
_____, J.
Shearing

cc: Hon. Valorie Vega, District Judge
Employers Insurance Company of Nevada
James L. Roberts
Clark County Clerk