

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER CAMPBELL,  
Appellant,

vs.

MYA MAUNG; UT MEDICAL GROUP,  
INC.; AND METHODIST UNIVERSITY  
HOSPITAL TRANSPLANT,  
Respondents.

No. 54720

**FILED**

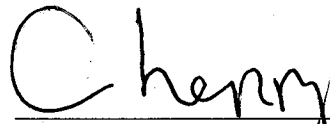
**DEC 07 2009**


TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

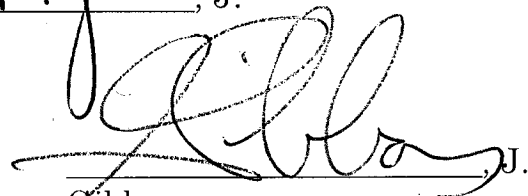
ORDER DISMISSING APPEAL

Notice of entry of the district court's attorney fees order was served on appellant by respondent's counsel via U.S. mail on June 23, 2009. Because service of the notice of entry was by mail, appellant had 33 days from the date of service to file his notice of appeal. See NRAP 4(a)(1); NRAP 26(c). Appellant's notice of appeal was therefore due to be filed in the district court on or before July 27, 2009. Appellant filed his notice of appeal on October 5, 2009, 70 days after the 33-day period for filing his notice of appeal had expired. Since appellant's notice of appeal was untimely filed, we lack jurisdiction to consider this appeal. See Healy v. Volkswagenwerk, 103 Nev. 329, 331, 741 P.2d 432, 433 (1987) (noting that an untimely notice of appeal fails to vest jurisdiction in this court). Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Kenneth C. Cory, District Judge  
Christopher Campbell  
Ciciliano & Associates, LLC  
Snell & Wilmer, LLP/Las Vegas  
Eighth District Court Clerk