

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL A. CARVATTA,
Appellant,
vs.
VENESA MASCOLINO,
Respondent.

No. 56196

FILED

MAR 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Shoop*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court post-divorce decree order regarding property division and alimony. Eighth Judicial District Court, Family Court Division, Clark County; William G. Henderson, Judge.

Notice of entry of the district court's April 27, 2010, order was served on appellant by respondent's counsel via U.S. mail on May 5, 2010. 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 June 7, 2010. Appellant filed his notice of appeal on June 8, 2010, 1 day after the 33-day period for filing his notice of appeal had run. 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.

Saitta _____, J.
Saitta

Hardesty _____, J.
Hardesty

Parraguirre _____, J.
Parraguirre

cc: Hon. William G. Henderson, District Judge, Family Court Division
Michael A. Carvatta
Hofland Beasley & Galliher
Howard Kim & Associates
Eighth District Court Clerk