

IN THE SUPREME COURT OF THE STATE OF NEVADA

SUSHMA SINGH,  
Appellant,  
vs.  
EMPLOYMENT SECURITY DIVISION,  
STATE OF NEVADA; CYNTHIA A.  
JONES, IN HER CAPACITY AS  
ADMINISTRATOR OF THE  
EMPLOYMENT SECURITY DIVISION;  
KATIE JOHNSON, IN HER CAPACITY  
AS CHAIRPERSON OF THE  
EMPLOYMENT SECURITY BOARD OF  
REVIEW; AND INDIAN CURRY BOWL,  
AS EMPLOYER,  
Respondents.

No. 57227

**FILED**

SEP 15 2011

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angela*  
DEPUTY CLERK

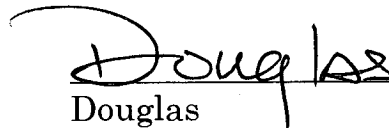
ORDER OF AFFIRMANCE

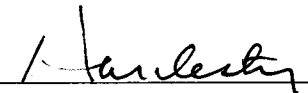
This is a proper person appeal from a district court order dismissing as untimely a petition for judicial review of an unemployment benefits action. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

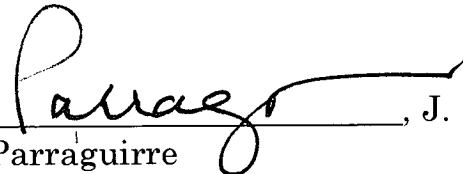
On June 25, 2010, respondent Employment Security Division, State of Nevada, (ESD) entered a decision denying appellant Sushma Singh unemployment benefits. The decision noted that the final date to challenge that decision by petitioning for judicial review was July 19, 2010. On September 2, 2010, Singh filed her petition for judicial review in district court. ESD filed a motion to dismiss, arguing that the district court lacked subject matter jurisdiction because the petition was untimely filed. The district court granted ESD's motion and dismissed the petition. Singh now appeals to this court, and ESD has filed an answer, as directed.

“[T]he time period for filing a petition for judicial review of an administrative decision is mandatory and jurisdictional[.]” and thus, it may not be excused. Kame v. Employment Security Dep’t, 105 Nev. 22, 25, 769 P.2d 66, 68 (1989). As the district court properly dismissed Singh’s untimely petition, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

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

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

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

cc: Hon. Kathleen E. Delaney, District Judge  
Sushma Singh  
State of Nevada/DETR  
Eighth District Court Clerk

---

<sup>1</sup>In light of this order, we deny, as moot, the relief requested in Singh’s May 11, 2011, letter.