

IN THE SUPREME COURT OF THE STATE OF NEVADA

NAMIT BHATNAGAR,
Appellant,
vs.
STATE OF NEVADA, DEPARTMENT
OF EMPLOYMENT, TRAINING AND
REHABILITATION,
Respondent.

No. 57281

FILED

FEB 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

Notice of entry of the district court's order denying a petition for judicial review was served on appellant by respondent's counsel via U.S. mail on October 20, 2010. Because service of the notice of entry was by mail, appellant had 33 days from the date of service to file the 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 November 22, 2010. Appellant filed the notice of appeal on December 1, 2010, nine days after the 33-day period for filing the notice of appeal had expired. Because 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. Timothy C. Williams, District Judge
Namt Bhatnagar
State of Nevada/DETR
Eighth District Court Clerk