

IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTTIE RAY VAN NORT,
Appellant,
vs.
CARSON CITY SHERIFF'S OFFICE,
Respondent.

No. 58159

FILED

MAY 06 2011

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

ORDER DISMISSING APPEAL

Notice of entry of the district court's January 24, 2011, order was served on proper person appellant by respondent's counsel via U.S. mail on February 1, 2011. 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 March 7, 2011. Appellant filed his notice of appeal on April 13, 2011, 37 days 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. James Todd Russell, District Judge
Scottie Ray Van Nort
Carson City District Attorney
Carson City Clerk