

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZEFERINO ELIZONDA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58511

FILED

JUL 08 2011

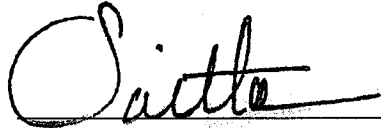
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

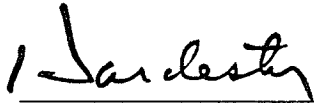
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a post-conviction petition for a writ of habeas corpus brought pursuant to Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994). Eighth Judicial District Court, Clark County; Valorie Vega, Judge. The notice of appeal filed on May 16, 2011, was untimely because it was filed well after the 30-day appeal period prescribed by NRAP 4(b) and NRS 34.575(1). See Lozada, 110 Nev. at 352, 871 P.2d at 946 (an untimely appeal fails to vest jurisdiction in this court). To the extent that appellant is attempting to appeal from a district court order denying a “motion for clarification and correction of judicial record i.e. to status and counsel,” the appeal is untimely and no statute or court rule authorizes an appeal from such an order. See NRAP 4(b); NRS 34.575(1); Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990); Lozada, 110 Nev. at 352, 871 P.2d at 946.

Therefore we lack jurisdiction to consider this appeal and we
ORDER this appeal DISMISSED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Valorie Vega, District Judge
Zeferino Elizonda
Law Offices of John P. Parris
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk