

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONNIE FORD,
Appellant,
vs.
THE STATE OF NEVADA
EMPLOYMENT SECURITY DIVISION;
CYNTHIA A. JONES, IN HER
CAPACITY AS ADMINISTRATOR OF
THE EMPLOYMENT SECURITY
DIVISION; KATIE JOHNSON, IN HER
CAPACITY AS CHAIRPERSON OF THE
EMPLOYMENT SECURITY DIVISION
BOARD OF REVIEW; AND REPUBLIC
SERVICES OF SOUTHERN NEVADA,
AS EMPLOYER,
Respondents.

No. 59280

FILED

DEC 09 2011


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

ORDER DISMISSING APPEAL

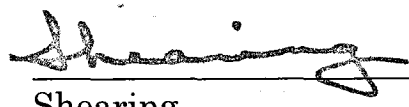
Notice of entry of the district court's July 5, 2011, order was served on appellant by respondent's counsel via U.S. mail on July 21, 2011. Because service of the notice of entry was by mail, appellant had 33 days from the date of service to file his notice of appeal. See NRAP 4(a)(1); NRAP 26(c). Appellant's notice of appeal was therefore due to be filed in the district court on or before August 23, 2011. Appellant filed his notice of appeal on September 22, 2011, long 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.¹

 _____, J.
Pickering

 _____, Sr. J.
Rose

 _____, Sr. J.
Shearing

cc: Hon. Kathy A. Hardcastle, District Judge
Ronnie Ford
State of Nevada/DETR
Eighth District Court Clerk

¹The Honorable Robert E. Rose and the Honorable Miriam Shearing, Senior Justices, participated in the decision of this matter under general orders of assignment.

In light of this order, we deny as moot, respondents' motion to dismiss filed on November 29, 2011.