

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH ALFRED MACKOOL,
Appellant,
vs.
VANDERBILT MORTGAGE AND
FINANCE, INC., A TENNESSEE
CORPORATION; MERIDIAN
FORECLOSURE SERVICE, A
FOREIGN CORPORATION; PACIFIC
COAST TITLE COMPANY, A FOREIGN
CORPORATION; AND MTDS, INC., A
DOMESTIC CORPORATION,
Respondents.

No. 59747

FILED

JUL 27 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

ORDER DISMISSING APPEAL¹

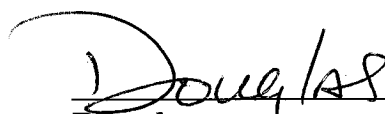
This is a proper person appeal from a district court order granting a motion to dismiss in a real property wrongful foreclosure action. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.


Our review of the documents transmitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, appellant failed to timely file his notice of appeal. Notice of entry of the district court's order was served on appellant via U.S. mail on October 5, 2011, and was filed in the district court on October 7, 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).

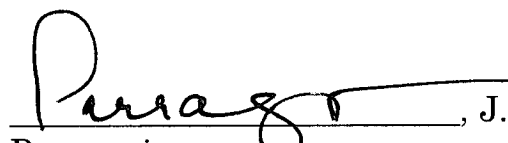
¹We grant appellant's request to amend the caption and direct the clerk of this court to amend the caption on this court's docket to conform to the caption of this order.

Appellant did not file his notice of appeal until November 18, 2011, past the 33-day time requirement. 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.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Kimberly A. Wanker, District Judge
Joseph Alfred Mackool
Fidelity National Law Group
Robert E. Glennen, III
Nye County Clerk