

IN THE SUPREME COURT OF THE STATE OF NEVADA

HEATHER LOUISE WALLEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61712

FILED

NOV 20 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *Angela*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a purported district court order resolving a "post conviction [habeas corpus]." Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

Our review of this proper person appeal reveals a jurisdictional defect. Specifically, appellant appeals from a non-existent order. Review of the district court docket and minute entries indicate that no petition for a post-conviction writ of habeas corpus was filed and no written order was entered resolving the purported petition. To the extent that appellant appeals from the amended judgment of conviction entered on July 13, 2012, the appeal is untimely. NRAP 4(b)(1)(A) (30-day appeal period commences from date judgment is entered). We lack jurisdiction to consider this appeal, see Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), therefore we

ORDER this appeal DISMISSED.

Douglas
_____, J.
Douglas

Gibbons
_____, J.
Gibbons

Parraguirre
_____, J.
Parraguirre

cc: Hon. Kimberly A. Wanker, District Judge
Heather Louise Wallen
Gibson & Kuehn
Nye County District Attorney
Attorney General/Carson City
Nye County Clerk