

IN THE SUPREME COURT OF THE STATE OF NEVADA

PATRICK RAYMOND TYLL,
Appellant,
vs.
RUTH ANN TYLL,
Respondent.

No. 62920

FILED

MAY 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

ORDER DISMISSING APPEAL

Notice of entry of the district court's January 29, 2013, decree of divorce was served on appellant by respondent's counsel via United States mail on that same day. 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 3, 2013. Appellant filed his notice of appeal on March 25, 2013, 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 Aktiengesellschaft*, 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.

Hardesty, J.
Hardesty

Parraguirre J.
Parraguirre

Cherry, J.
Cherry

cc: Hon. Jennifer Elliott, District Judge, Family Court Division
Patrick Raymond Tyll
Roger P. Croteau & Associates, Ltd.
Eighth District Court Clerk