

IN THE SUPREME COURT OF THE STATE OF NEVADA

COREY J. STRYZEWSKI,
Appellant,
vs.
GABRIEL BYRNES, OFFENDER
MANAGEMENT ADMINISTRATOR;
DR. ROBERT BANNISTER; SHANNON
MOYLE; RON SCHRECKENGOST;
AND LISA WALSH,
Respondents.

No. 64318

FILED

MAY 27 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying a petition for a writ of mandamus and dismissing a civil rights complaint. First Judicial District Court, Carson City; James E. Wilson, Judge.

Notice of entry of the August 22, 2013, district court order challenged in this appeal was served on appellant by United States mail on August 29, 2013. 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 in the district court. See NRAP 4(a)(1); NRAP 26(c). Appellant's notice of appeal was therefore due to be filed in that court on or before October 1, 2013. Appellant, however, did not file his notice of appeal in the district court until October 28, 2013, beyond the 33-day period for filing that document. 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 dismiss this appeal for lack of jurisdiction. And in light of

our dismissal of this appeal, we deny as moot all motions and other requests for relief currently pending in this appeal. Thus, the clerk of this court is directed to return, unfiled, the civil proper person appeal statement that was provisionally received in this court on February 12, 2014.

It is so ORDERED.

Pickering

_____, J.
Pickering

Parraguirre

_____, J.
Parraguirre

Saitta

_____, J.
Saitta

cc: Hon. James E. Wilson, District Judge
Corey J. Strzyzewski
Attorney General/Carson City
Carson City Clerk