

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER JAMES WILLING,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 66202

**FILED**

**SEP 30 2014**

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

*ORDER DISMISSING APPEAL*

This appeal was initiated by the filing of a proper person notice of appeal. Appellant entitled his notice of appeal, "Notice of Appeal for Writ of Habeas Corpus." Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

The notice of appeal was filed on July 22, 2014. The documents submitted with this appeal indicate that the district court has not entered its decision, either oral or written, to finally resolve a post-conviction petition for a writ of habeas corpus. Further, to the extent that appellant is appealing from the judgment of conviction entered on March 26, 2014, the appeal is untimely. NRAP 4(b)(1)(A). "[A]n untimely notice of appeal fails to vest jurisdiction in this court," *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), and we cannot "extend the time to file a notice of appeal except as provided in [NRAP] 4(c)," NRAP 26(b)(1)(A).

Therefore, we lack jurisdiction to consider this appeal and we

ORDER this appeal DISMISSED.<sup>1</sup>

*J. Hardesty*, J.  
Hardesty

*Douglas*, J.  
Douglas

*Cherry*, J.  
Cherry

cc: Hon. Kimberly A. Wanker, District Judge  
The Law Firm of Nathan L. Gent, PLLC  
Nye County District Attorney  
Attorney General/Carson City  
Nye County Clerk  
Christopher James Willing

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<sup>1</sup>We deny as moot respondent's motion to dismiss appeal filed on August 22, 2014.