

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
ROSLYN SCHRAGER, DECEASED,

No. 66323

ARNOLD SCHRAGER,
Appellant,
vs.
SAFRA NATIONAL BANK OF NEW
YORK,
Respondent.

FILED

SEP 02 2014

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order affirming and adopting the probate commissioner's report and recommendation dismissing appellant's motion for an order to show cause. The district court's order was entered on July 8, 2014, and notice of entry was served on appellant by 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 August 11, 2014. Appellant filed his notice of appeal on August 13, 2014, after the 33-day period for filing the notice of appeal had run. Because 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)

(recognizing that an untimely notice of appeal fails to vest jurisdiction in this court). Accordingly, we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Gloria Sturman, District Judge
Arnold Schragar
Roland Law Firm
Eighth District Court Clerk