

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES E. NELLUMS,
Appellant,
vs.
D. W. NEVEN, WARDEN; AND LT.
MICHAEL MAXFIELD,
Respondents.

No. 71457

FILED

DEC 16 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a summary judgment. Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

Our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) reveals a potential jurisdictional defect. Specifically, the notice of appeal appears to be untimely filed under NRAP 4(a) because it appears that it was filed more than thirty days after service of written notice of entry of the judgment or order. See NRAP 4(a)(1); NRAP 26(c). The order granting the motion for summary judgment was entered March 15, 2016, and written notice of entry was also served on appellant on March 15, 2016. Appellant's notice of appeal was not filed until October 3, 2016, well after the expiration of the 30-day period provided in NRAP 4. We conclude, therefore, that we lack jurisdiction, and we

ORDER this appeal DISMISSED.

[Signature], J.
Hardesty

[Signature], J.
Pickering

[Signature], J.
Stiglich

cc: Hon. Douglas Smith, District Judge
James E. Nellums
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk