

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID GABRIEL ACEVEDO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 73235

**FILED**

JUL 07 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a "district court order granting or denying motion for house arrest." Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Our review of this appeal reveals jurisdictional defects. Specifically, an order granting or denying a motion for house arrest is not an appealable order. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). Further, review of the district court minutes and docket entries indicate that no such order was entered. To the extent that appellant appeals from the judgment of conviction, the notice of appeal was untimely filed. NRAP 4(b); NRAP 26(a); NRAP 26(c). "[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). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Douglas Douglas, J.

Gibbons Gibbons, J.

Pickering Pickering, J.

cc: Hon. Kathleen E. Delaney, District Judge  
Michael R. Pandullo  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk