

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRENT JOHNSON,  
Appellant,  
vs.  
BRIAN WILLIAMS, WARDEN,  
Respondent.

No. 73141

**FILED**

AUG 25 2017

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

*ORDER DISMISSING APPEAL*

This a pro se appeal from a district court order denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on January 5, 2017. The district court served notice of entry of that order on appellant on January 17, 2017. Appellant did not file the notice of appeal, however, until May 22, 2017, well after the expiration of the thirty-day appeal period prescribed by NRS 34.575. "[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, J.  
Douglas

Pickering, J.  
Pickering

Hardesty, J.  
Hardesty

cc: Hon. Linda Marie Bell, District Judge  
Brent Johnson  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk