

IN THE SUPREME COURT OF THE STATE OF NEVADA

SALVATORE ANTHONY GERVASIO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73323

FILED

SEP 18 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; Eric Johnson, Judge.

Our review of this appeal reveals jurisdictional defects. Specifically, no statute or court rule provides for an appeal from an order granting or denying a motion for house arrest. *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

ORDER this appeal DISMISSED.

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Eric Johnson, District Judge
Salvatore Anthony Gervasio
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk