

IN THE SUPREME COURT OF THE STATE OF NEVADA

ORESTE PEREZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74902

FILED

FEB 26 2018

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 denying a postconviction petition for writ of habeas corpus. Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on July 12, 2017. The district court served notice of entry of that order on appellant on July 13, 2017. Appellant did not file the notice of appeal, however, until January 16, 2018, 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.

Pickering, J.
Pickering

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

cc: Hon. William D. Kephart, District Judge
Oreste Perez
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk