

IN THE SUPREME COURT OF THE STATE OF NEVADA

JERRY SANTISTEVAN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75021

**FILED**

APR 16 2018

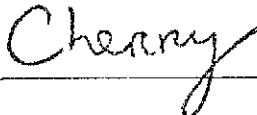
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DISMISSING APPEAL*

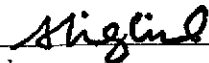
This is a pro se appeal from district court orders denying a motion to modify sentence and denying a motion for rehearing. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Our review of this appeal reveals jurisdictional defects. Specifically, the district court entered the order denying a motion to modify sentence on December 19, 2017. Appellant did not file the notice of appeal, however, until January 26, 2018, eight days after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). “[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). Further, no statute or court rule permits an appeal from an order denying a motion for rehearing. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_  
Parraguirre

  
\_\_\_\_\_, J.  
Stiglich

18-1434b

cc: Hon. Stefany Miley, District Judge  
Jerry Santistevan  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk