

THOMAS GAULE,

No. 36647

Appellant,

vs.

**FILED**

OFFICE OF THE PUBLIC GUARDIAN,

SEP 26 2000

Respondent.

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY: *Richard*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of eviction in a guardianship matter. Our review of the documents transmitted to this court pursuant to NRAP 3(e) reveals a jurisdictional defect. Specifically, the notice of appeal is untimely. The order appealed from was entered on June 23, 2000, and notice of entry of the order was served by mail on June 28, 2000. Pursuant to NRAP 4(a)(1), and adding three days for mailing pursuant to NRAP 26(c) and NRCP 6(e), the notice of appeal was due no later than July 31, 2000. The notice of appeal in this case was submitted to the clerk of this court on August 18, 2000, and filed in the district court on August 23, 2000. Both dates are well after the time in which a notice of appeal could be filed had expired. An untimely notice of appeal fails to vest jurisdiction in this court. See Rust v. Clark Cty. School District, 103 Nev. 686, 747 P.2d 1380 (1987). Accordingly, as we lack jurisdiction, we

ORDER this appeal dismissed.<sup>1</sup>

*Young*  
\_\_\_\_\_  
Young J.

*Maupin*  
\_\_\_\_\_  
Maupin J.

*Becker*  
\_\_\_\_\_  
Becker J.

<sup>1</sup>Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from appellant.

cc: Hon. Cynthia Dianne Steel, District Judge,  
Family Court Division  
Jolley Uрга Wirth & Woodbury  
Thomas Gaule  
Clark County Clerk