

IN THE SUPREME COURT OF THE STATE OF NEVADA

JARBIREY KEITH CARTER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75485

FILED

MAY 07 2018

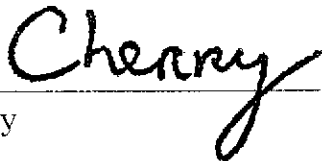
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
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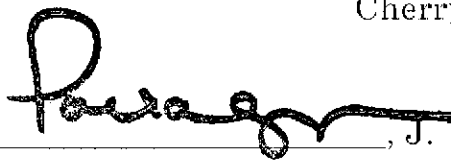
ORDER DISMISSING APPEAL

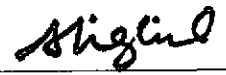
This is a pro se appeal from a district court order denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on August 7, 2017. The district court served notice of entry of that order on appellant on August 9, 2017. Appellant did not file the notice of appeal, however, until March 26, 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.


Cherry, J.


Parraguirre, J.


Stiglich, J.

18-16595

cc: Hon. Susan Johnson, District Judge
Jarbirey Keith Carter
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk