

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRANDON MOORE-MONTGOMERY,
Appellant,
vs.
PERRY RUSSELL, WARDEN,
Respondent.

No. 76421

FILED

AUG 03 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 order denying a petition for writ of habeas corpus. First Judicial District Court, Carson City; James Todd Russell, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court mailed written notice of entry of the order denying the petition for writ of habeas corpus on April 30, 2018. Appellant did not file the notice of appeal, however, until July 12, 2018, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). See 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.
Cherry

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. James Todd Russell, District Judge
Brandon Moore-Montgomery
Attorney General/Carson City
Carson City Clerk