IN THE SUPREME COURT OF THE STATE OF NEVADA

CARL DEAN EDWARDS,
Appellant,

vs.
THE STATE OF NEVADA,
Respondent.

No. 77374

FILED

DEC 1 0 2018

CLERK OF SOPREME COUR
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 further declaratory relief. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

This court's review of this appeal reveals jurisdictional defects. The district court entered the order denying a motion to modify sentence on July 17, 2018. Appellant did not file the notice of appeal, however, until November 6, 2018, well after the expiration of the 30-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 provides for an appeal from an order denying a motion for further declaratory relief. *Castillo v. State*, 106

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Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we ORDER this appeal DISMISSED.

Pickering

Gibbons

Hardesty

Pickering, J.

cc: Hon. Kimberly A. Wanker, District Judge Carl Dean Edwards Attorney General/Carson City Nye County District Attorney Nye County Clerk