

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLOS VALEZ,  
Appellant,  
vs.  
OFFENDER MANAGEMENT DIVISION  
OF NDOC,  
Respondent.

No. 78013

**FILED**

FEB 13 2019

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 postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on November 2, 2018. The district court served notice of entry of that order on appellant on November 8, 2018. Appellant did not file the notice of appeal, however, until January 17, 2019, well after the expiration of the 30-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, this court

ORDERS this appeal DISMISSED.

Hardesty, J.

Hardesty

Stiglich, J.

Stiglich

Silver, J.

Silver

cc: Hon. Linda Marie Bell, Chief Judge  
Carlos Valez  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk