

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRANCE OLYSUSISS STEWART,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 78058

FILED

MAR 13 2019

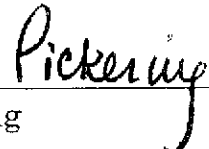
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

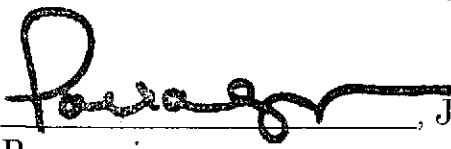
ORDER DISMISSING APPEAL

This is a pro se appeal from a purported district court order denying a postconviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

This court's review of this appeal reveals a jurisdictional defect. The documents before this court indicate that a petition has not been filed in district court case number C-16-313046-1, the case number designated in this notice of appeal. To the extent that appellant appeals from the second amended judgment of conviction entered on June 12, 2018, the notice of appeal was untimely filed. "[A]n untimely notice of appeal fails to vest jurisdiction in this court." *Lozada v. State*, 110 Nev. 349, 871 P.2d 944 (1994). Accordingly, this court

ORDERS this appeal DISMISSED.

 J.
Pickering

 J.
Parraguirre

 J.
Cadish

¹Appellant also filed an appeal from the order denying a postconviction petition for a writ of habeas corpus entered in district court case no. A-18-779385-W. See *Stewart v. State*, Docket No. 78059.

cc: Hon. Douglas W. Herndon, District Judge
Terrance Olysusiss Stewart
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk