

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLIE MUNA CABRERA,
Appellant,
vs.
BRIAN E. WILLIAMS, SR., WARDEN
HDSP,
Respondent.

No. 78412

FILED

APR 08 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 9, 2017. The district court served notice of entry of that order on appellant on November 15, 2017. Appellant did not file the notice of appeal, however, until March 20, 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.

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

Cadish, J.
Cadish

cc: Hon. Linda Marie Bell, District Judge
Charlie Muna Cabrera
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk