

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID DURAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73338

FILED

JUL 17 2017

ORDER DISMISSING APPEAL

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

This is a pro se appeal from a "district court order granting or denying motion for house arrest." Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, no statute or court rule provides for an appeal from an order granting or denying a motion for house arrest. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). Further, review of the district court minutes and docket entries indicate that no such order was entered. To the extent that appellant appeals from the judgment of conviction, the notice of appeal was untimely filed. NRAP 4(b); NRAP 26(a); NRAP 26(c). "[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

ORDER this appeal DISMISSED.

[Signature], J.
Hardesty

[Signature], J.
Parraguirre

[Signature], J.
Stiglich

17-23623

cc: Hon. William D. Kephart, District Judge
David Duran
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk