

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK THOMAS, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 73618

**FILED**

AUG 10 2017

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


*ORDER DISMISSING APPEAL*

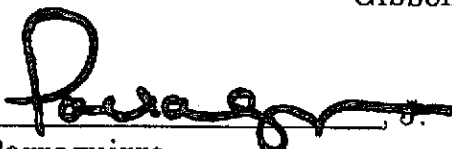
This is a pro se appeal from a "district court order, granting or denying motion for house arrest." Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

Our review of this appeal reveals jurisdictional defects. Specifically, no statute or court rule provides for an appeal from a district court 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 amended judgment of conviction, and the order for revocation of probation and second amended 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.

  
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Gibbons

  
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Parraguirre

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. William D. Kephart, District Judge  
Benson Lee and Associates  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk