

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELVIN WAYNE HARPER, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72943

FILED

JUN 06 2017

ORDER DISMISSING APPEAL

*Milcof*  
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; Valerie Adair, Judge.

Our review of this appeal reveals jurisdictional defects. Specifically, an order granting or denying a motion for house arrest is not an appealable order. *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 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 conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

*Douglas*, J.  
Douglas

*Gibbons*, J.  
Gibbons

*Pickering*, J.  
Pickering

cc: Hon. Valerie Adair, District Judge  
Elvin Wayne Harper, Jr.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk