

IN THE SUPREME COURT OF THE STATE OF NEVADA

SAMMIE NUNN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 82859

FILED

MAY 21 2021

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

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court "judgement [sic] on writ of habeas corpus on November 5, 2019." Eighth Judicial District Court, Clark County; Mary Kay Holthus, 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 20, 2019. The district court served notice of entry of that order on appellant on November 21, 2019. Appellant did not file the notice of appeal, however, until April 29, 2021, 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.<sup>1</sup>

*[Signature]* J.  
Parraguirre

*[Signature]* J.  
Stiglich

*[Signature]* J.  
Silver

<sup>1</sup>Given this order, this court takes no action on the motion to stay filed on May 17, 2021.

cc: Hon. Mary Kay Holthus, District Judge  
Sammie Nunn  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk