

IN THE SUPREME COURT OF THE STATE OF NEVADA

DALE JAMES KOKOSKI,  
Appellant,  
vs.  
WILLIAM HUTCHINGS, WARDEN,  
Respondent.

No. 83441

**FILED**

SEP 16 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 order denying a petition for writ of habeas corpus. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court served notice of entry of the order denying a petition for writ of habeas corpus on July 2, 2021. Appellant did not file the notice of appeal, however, until August 27, 2021, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). "[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.

*[Signature]*, J.  
Parraguirre

*[Signature]*, J.  
Silver

*[Signature]*, J.  
Herndon

cc: Hon. Erika D. Ballou, District Judge  
Dale James Kokoski  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk