

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEY MAYEN BURTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85479

FILED

OCT 24 2022

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

ORDER DISMISSING APPEAL

This is a pro se notice of appeal from a district court order denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Crystal Eller, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on July 18, 2022. The district court served notice of entry of that order on appellant on July 20, 2022. Appellant did not file the notice of appeal, however, until October 4, 2022, well after the expiration of the 30-day appeal period prescribed by NRS 34.575. See NRAP 4(b); *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (explaining that an untimely notice of appeal fails to vest jurisdiction in this court). Accordingly, this court

ORDERS this appeal DISMISSED.

[Signature], J.
Hardesty

[Signature], J.
Stiglich

[Signature], J.
Herndon

cc: Hon. Crystal Eller, District Judge
Key Mayen Burton
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk