

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL FOLEY,
Appellant,
vs.
WYNN RESORTS, LIMITED, A
NEVADA CORPORATION; AND WYNN
RESORTS HOLDINGS, LLC, A
NEVADA LIMITED LIABILITY
COMPANY,
Respondents.

No. 86033

FILED

FEB 03 2023

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

ORDER DISMISSING APPEAL

This is a pro se appeal from an order granting respondents' motion to dismiss. Eighth Judicial District Court, Clark County; Nadia Krall, Judge.

Review of the documents submitted to this court pursuant to NRAP 3(g) reveals a jurisdictional defect. Specifically, the notice of appeal was untimely filed because it was filed more than 30 days after service of written notice of entry of the judgment or order. See NRAP 4(a)(1); NRAP 26(c). The written notice of entry was filed and served on appellant on September 7, 2022. Appellant did not file the notice of appeal until January 26, 2023, well after the expiration of the 30-day time frame provided in NRAP 4(a)(1). This court lacks jurisdiction to consider an untimely filed

notice of appeal. *Healy v. Volkswagenwerk Aktiengesellschaft*, 103 Nev. 329, 330, 741 P.2d 432, 432 (1987). Accordingly, we

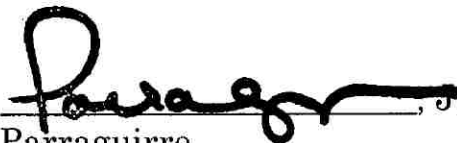
ORDER this appeal DISMISSED.



_____, J.
Herndon



_____, J.
Lee



_____, J.
Parraguirre

cc: Hon. Nadia Krall, District Judge
Michael Foley
Jackson Lewis P.C.
Eighth District Court Clerk