


IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE FILIBERTO TINOCO-GAYTAN  
A/K/A JOSE FILIBERTO  
TINOCOGAYTAN,  
Appellant,  
vs.  
JEROMY BEAN, ACTING WARDEN;  
AND THE STATE OF NEVADA,  
Respondents.

No. 86469

FILED

MAY 19 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  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; 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 March 3, 2023. The district court served notice of entry of that order on appellant on March 6, 2023. Appellant did not file the notices of appeal, however, until April 25, 2023, well after the expiration of the 30-day appeal period prescribed by NRS 34.575. *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

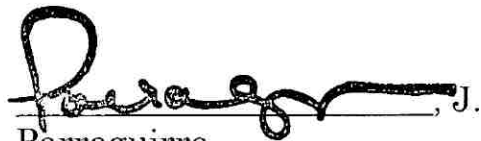
ORDERS this appeal DISMISSED.



\_\_\_\_\_, J.  
Herndon



\_\_\_\_\_, J.  
Lee



\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Mary Kay Holthus, District Judge  
Jose Filiberto Tinoco-Gaytan  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk