

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON MCKINLEY WARD,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 38966

FILED

JAN 22 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from orders of the district court denying a motion to correct omission in the record and a motion for reconsideration.


First, appellant's appeal from the order denying his motion to correct omission in the record is untimely. The district court entered the order denying his motion on October 24, 2001. Appellant did not file the notice of appeal, however, until December 18, 2001, after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.¹ Therefore, we lack jurisdiction to consider appellant's appeal from this order.

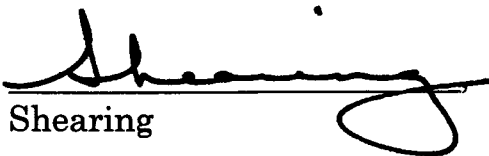
Second, this court lacks jurisdiction to consider appellant's appeal from the order denying his motion for reconsideration. The right to appeal is statutory; where no statute or court rule provides for an appeal,

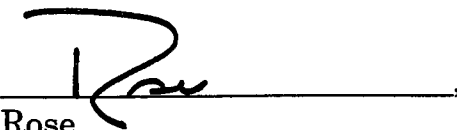
¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

no right to appeal exists.² No statute or court rule provides for an appeal from an order denying a motion for reconsideration.³ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


Maupin C.J.


Shearing J.


Rose J.

cc: Hon. Donald M. Mosley, District Judge
Attorney General/Carson City
Clark County District Attorney
Jason McKinley Ward
Clark County Clerk

²Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

³See Phelps v. State, 111 Nev. 1021, 900 P.2d 344 (1995).