## IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC D. OLIVER, Appellant, vs. TERESA HARRIS, Respondent. No. 40002

PEL P E PEL PEL PEL P E PEL PEL CE PEL PEL PEL

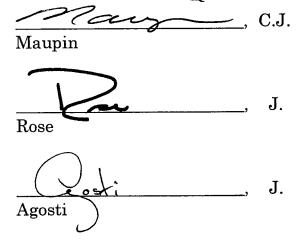
NOV 12 2002

## ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order requiring appellant to pay child support. On August 28, 2002, we remanded this matter to the district court for the limited purpose of conducting proceedings to determine whether appellant's notice of appeal was timely delivered to a prison official.<sup>1</sup> The district court timely filed a certified copy of its findings of fact with this court on October 28, 2002. The district court found that appellant had failed to demonstrate that he timely submitted his notice of appeal to a prison official.

The timely filing of a notice of appeal is jurisdictional.<sup>2</sup> Accordingly, we

ORDER this appeal DISMISSED.



<sup>1</sup><u>See Kellogg v. Journal Communications</u>, 108 Nev. 474, 835 P.2d 12 (1992).

<sup>2</sup>See <u>Healy v. Volkswagenwerk</u>, 103 Nev. 329, 741 P.2d 432 (1987).

SUPREME COURT OF NEVADA

(O) 1947A

cc: Hon. Robert W. Lueck, District Judge, Family Court Division Eric D. Oliver Clark County District Attorney Clark County District Atty/Family Support Division Clark County Clerk

Supreme Court of Nevada

(O) 1947A

2

and the second secon

1.1.1