

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
MAX M. MEAD.

No. 40980

MARK MEAD,
Appellant,
vs.
JEROME NEMZOFF AND DEBORAH
NEEDHAM,
Respondents.

FILED

MAR 31 2003

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

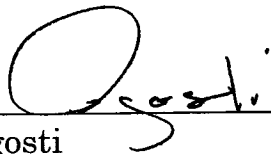
ORDER DISMISSING APPEAL

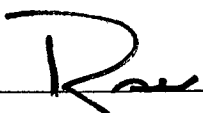
This is a proper person appeal from an order of the district court that denied a petition to challenge the validity of a will.¹ Our review of the documents transmitted to this court under NRAP 3(e) reveals that the notice of appeal was filed too late. On July 17, 2002, the district court denied appellant's petition to challenge the validity of his father's will, on the ground that the challenge was untimely. It appears that notice of this order's entry was served on July 22, 2002. The court entered an amended order denying appellant's petition to challenge the will on September 3, 2002. It appears that notice of the amended order's entry was served on September 5, 2002. Appellant's notice of appeal was filed on February 18, 2003.

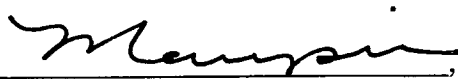
¹The notice of appeal references a September 28, 2002 order granting a motion for probate completion and executorships. No such order appears in the district court's docket entries, however. The notice of appeal also references an October 15, 2002 "final order." Again, no such order appears in the district court's docket entries.

Under NRAP 4(a)(1), a notice of appeal must be filed after a written order is entered, and no more than thirty days after notice of the order's entry is served. If service is accomplished by mail, then, under NRAP 26(c) three days are added to the thirty-day period. Here, notice of the court's order and amended order was served on July 22, 2002, and September 5, 2002, respectively. Appellant's notice of appeal, filed on February 8, 2003, was more than four months overdue. As an untimely notice of appeal fails to vest jurisdiction in this court, we

ORDER this appeal DISMISSED.


_____, C. J.
Agosti


_____, J.
Rose


_____, J.
Maupin

cc: Hon. Gene T. Porter, District Judge
Mark Mead
Brian C. Tanko
Clark County Clerk