

IN THE SUPREME COURT OF THE STATE OF NEVADA

TOVALIER CARDINE OWENS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 41265

FILED

MAY 13 2003

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Our review of this appeal indicates that the district court entered its order denying appellant's petition on December 31, 2002. The district court served notice of entry of that order on appellant on January 16, 2003. Appellant did not file the notice of appeal, however, until April 11, 2003, well after the expiration of the thirty-day appeal period prescribed by NRS 34.575. An untimely notice of appeal fails to vest jurisdiction in this court.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Shearing, J.
Shearing

Leavitt, J.
Leavitt

Becker, J.
Becker

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

cc: Hon. Michael L. Douglas, District Judge
Tovalier Cardine Owens
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk