

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE PARENTAL RIGHTS AS TO K. D.
L. AND S. P. K. K.

No. 41888

RICHARD J. K.,
Appellant,

vs.

THE STATE OF NEVADA DIVISION
OF CHILD AND FAMILY SERVICES,
DEPARTMENT OF HUMAN
RESOURCES,
Respondent

FILED

SEP 04 2003

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

ORDER DISMISSING APPEAL


This proper person appeal is taken from a July 3, 2003 order of the district court ruling that the minor children's paternal grandmother would have at least thirty days' prior notice before any changes in her visitation with the minor children are made.¹ Our review of the documents transmitted under NRAP 3(e) reveals that we lack jurisdiction over this appeal. The right to appeal exists only when authorized by statute or court rule.² In this case, no statute or rule permits an appeal

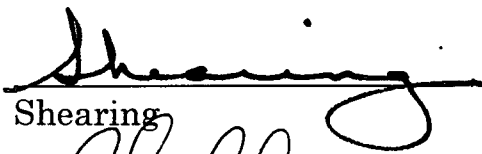
¹To the extent that appellant seeks to appeal from the district court's order revoking his probation, our review of the documentation before us reveals a jurisdictional defect. The district court entered its written order revoking appellant's probation on October 11, 1999. Appellant did not file his notice of appeal until August 5, 2003, well after the thirty-day appeal period prescribed by NRAP 4(b) expired. An untimely notice of appeal fails to vest jurisdiction in this court. See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994). Consequently, we lack jurisdiction to review the district court's revocation order.

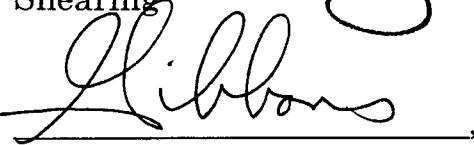
²Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984)

from an order providing notice before visitation changes are made. And, as appellant's parental rights were previously terminated,³ he has no standing to challenge any order pertaining to visitation between the children and their grandmother. Finally, although the district court entered an order on May 15, 2003, regarding the children's permanent placement, appellant also has no standing to appeal from this order. As we lack jurisdiction to consider this appeal, we dismiss it.

It is so ORDERED.


_____, J.
Becker


_____, J.
Shearing


_____, J.
Gibbons

cc: Hon. Gerald W. Hardcastle, District Judge, Family Court Division
Richard J. K.
Attorney General Brian Sandoval/Las Vegas
Clark County Clerk

³See Matter of Parental Rights as to K.D.L., 118 Nev. ___, 58 P.3d 181 (2002).