

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEBRA DAVENPORT,  
Appellant,  
vs.  
RENO AIR, INC., A NEVADA  
CORPORATION; CARSON-TAHOE  
HOSPITAL, A COUNTY PUBLIC  
HOSPITAL AND POLITICAL  
SUBDIVISION OF CARSON CITY,  
NEVADA; RICHARD TAYLOR, M.D.;  
RODGER AGRE, M.D.; AND BRUCE  
SPERO, M.D.,  
Respondents.

No. 42783

**FILED**

MAR 16 2004

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

ORDER DISMISSING APPEAL

This proper person appeal is taken from a district court order granting summary judgment. On February 27, 2004, respondent Carson-Tahoe Hospital filed a motion to dismiss this appeal. Respondents Roger Agre, M.D., Bruce Spero, M.D., and Richard Taylor, M.D., have joined in the dismissal motion.

Our review of the motion, response,<sup>1</sup> and the documents transmitted under NRAP 3(e) reveals that we lack jurisdiction over this appeal. The district court's order was entered on September 23, 2002. Notice of this order's entry was served by mail on September 24, 2002. Appellant did not file her notice of appeal until February 12, 2004.

Under NRAP 4(a)(1), a notice of appeal must be filed within thirty days of the date the notice of entry is served. NRAP 26(c) provides

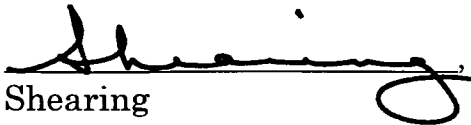
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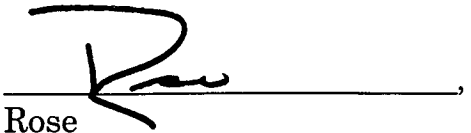
<sup>1</sup>Although appellant was not granted leave to proceed in proper person, see NRAP 46(b), we have received and considered appellant's documents.

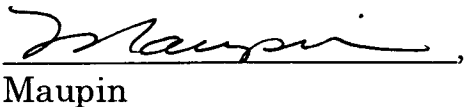
three extra days if the notice of entry is served by mail. When a notice of appeal is filed after the thirty-day time period has expired, this court lacks jurisdiction to consider the appeal.<sup>2</sup>

Here, appellant filed her notice of appeal more than one year after notice of the order's entry was served. Consequently, her notice of appeal was untimely and failed to vest jurisdiction in this court. We therefore grant respondents' motion and dismiss this appeal.

It is so ORDERED.

  
Shearing C.J.

  
Rose J.

  
Maupin J.

cc: Hon. William A. Maddox, District Judge  
Debra Davenport  
Erickson Thorpe & Swainston, Ltd.  
Lemons Grundy & Eisenberg  
Littler Mendelson/Reno  
Piscevich & Fenner  
Carson City Clerk

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<sup>2</sup>Alvis v. State, Gaming Control Bd., 99 Nev. 184, 185, 660 P.2d 980, 981 (1983).