

IN THE SUPREME COURT OF THE STATE OF NEVADA

SIERRA HIGH TECH VENTURES, LLC,
Appellant,
vs.
MICHAEL B. STEWART; AND HIGH
ROCK HOLDING, LLC,
Respondents.

No. 48949

FILED

JUN 18 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order granting a motion to confirm an arbitration award. Second Judicial District Court, Washoe County; Robert H. Perry, Judge.

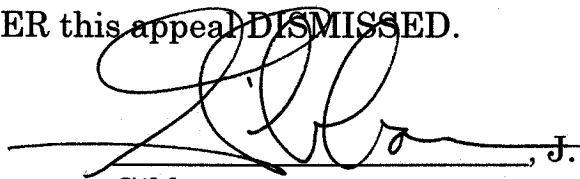
On May 16, 2007, this court entered an order giving appellant 10 days to show cause why this appeal should not be dismissed for lack of jurisdiction. In particular, this court observed that the notice of appeal was apparently filed after expiration of the 30-day appeal period prescribed by NRAP 4(a)(1).¹ The district court entered the order confirming the arbitration award on January 9, 2007, and appellant was served with written notice of the order's entry on January 12, 2007. The notice of appeal was filed in the district court on February 16, 2007, two

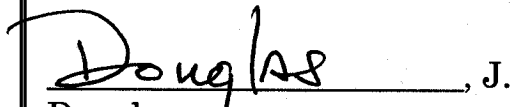
¹See NRS 38.247(2) (providing that an appeal under NRS 38.247 "must be taken as from an order or a judgment in a civil action").

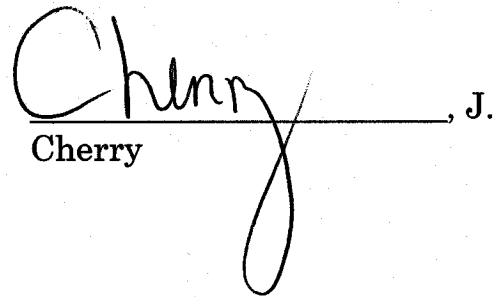
days after the appeal period expired.² An untimely notice of appeal fails to vest jurisdiction in this court.³

Appellant has not responded to the order to show cause or otherwise demonstrated that the notice of appeal was timely filed. Respondents have filed a reply to the order to show cause, requesting that this court dismiss the appeal. We conclude that this court lacks jurisdiction over this appeal because the notice of appeal was not timely filed in the district court, and we therefore

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Robert H. Perry, District Judge
Lester H. Berkson, Settlement Judge
Kent B. Hanson
Robison Belaustegui Sharp & Low
Washoe District Court Clerk

²See NRAP 4(a)(1) (providing that notice of appeal in civil case must be filed with district court clerk “after entry of a written judgment or order, and no later than 30 days after the date that written notice of entry of the judgment or order appealed from is served”); NRAP 26(c) (adding 3 days when service is by mail).

³See NRAP 4(a)(1); Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983).