

IN THE SUPREME COURT OF THE STATE OF NEVADA

EMMA WAGNER,
Appellant,

vs.

WEBSTER, JONES & AGRAN,
ATTORNEYS AT LAW, A
PARTNERSHIP; ORQUEST, INC., AN
OREGON CORPORATION; WALLACE
D. STEPHENS; SANDRA NEWMARK;
SEYMORK INVESTMENTS LIMITED,
A CORPORATION; KIJAN
MANAGEMENT SERVICES LTD.; AND
MGC RESOURCES, INC., A DOMESTIC
CORPORATION,
Respondents.

No. 53361

FILED

AUG 26 2009

TRACIE A. LINDEMAN
CLERK OF SUPREME COURT
BY *J. Shoop*
DEPUTY CLERK

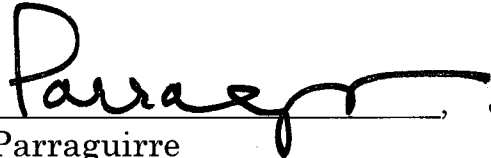
ORDER DISMISSING APPEAL

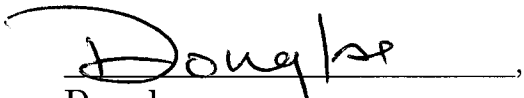
This is an appeal from a final judgment in a real property dispute. Sixth Judicial District Court, Pershing County; John M. Iroz, Judge.

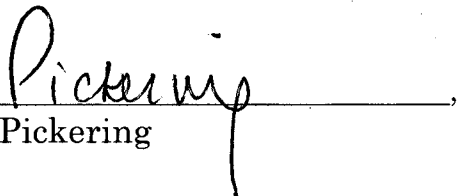
Respondents have moved to dismiss this appeal for lack of jurisdiction on the basis that appellant's notice of appeal was untimely. The motion is unopposed. Having reviewed the motion and its exhibits as well as the documents transmitted to this court pursuant to NRAP 3(e), we grant the motion. Formal written notice of the November 14, 2008, final judgment's entry was served on November 19, 2008. Appellant therefore had until December 22, 2008, to file a notice of appeal. The notice of appeal was filed on February 27, 2009, and an amended notice of appeal was filed on March 2, 2009. An untimely notice of appeal does not

vest jurisdiction in this court. Healy v. Volkswagenwerk, 103 Nev. 329, 741 P.2d 432 (1987). Accordingly, we

ORDER this appeal DISMISSED.¹


Parraguirre, J.


Douglas, J.


Pickering, J.

cc: Sixth Judicial District Court Dept. 2, District Judge
Emma Wagner
McDonald Carano Wilson LLP/Reno
Parr Waddoups Brown Gee & Loveless
Stephens Knight & Edwards
Pershing County Clerk

¹Appellant's failure to file a Civil Proper Person Appeal Statement constitutes an independent basis for dismissal. See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005); see also ADKT No. 385 (Order Extending Pilot Program for Civil Proper Person Appeals, May 10, 2006).