

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBIN A. DREW,
Appellant,
vs.
MANPOWER OF SOUTHERN
NEVADA, INC.; NEVADA
COMPFIRST; ESIS;
MEADOWBROOK/NEVADA
COMPFIRST; AND DEPARTMENT
OF INDUSTRIAL RELATIONS, AN
AGENCY OF THE STATE OF
NEVADA,
Respondents.

No. 57237

FILED

FEB 01 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

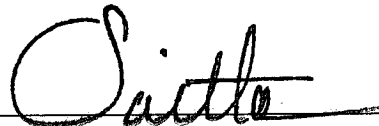
ORDER DISMISSING APPEAL


This is a proper person appeal from a district court order denying a petition for judicial review. Eighth Judicial District Court, Clark County; David Wall, Judge.

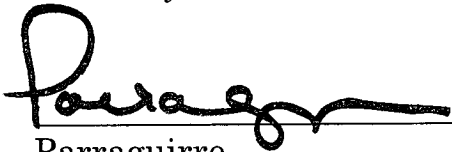
Notice of entry of the district court's order was served on appellant by respondent's counsel via U.S. mail on September 8, 2010. Because service of the notice of entry was by mail, appellant had 33 days from the date of service to file her notice of appeal. See NRAP 4(a)(1); NRAP 26(c). Appellant's notice of appeal was therefore due to be filed in the district court on or before October 11, 2010. Appellant filed her notice of appeal on November 23, 2010. Since appellant's notice of appeal was untimely filed, we lack jurisdiction to consider this appeal. See Healy v. Volkswagenwerk, 103 Nev. 329, 331, 741 P.2d 432, 433 (1987) (noting that an untimely notice of appeal fails to vest jurisdiction in this court). Also, while appellant's notice of appeal refers to a November 8, 2010, order

denying a motion to alter or amend, the district court docket entries do not reflect any such order or even that such a motion was filed. Accordingly, we

ORDER this appeal DISMISSED.¹


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. David Wall, District Judge
Robin A. Drew
Lynne & Associates
Eighth District Court Clerk

¹We deny as moot appellant's December 15, 2010, motion to proceed in forma pauperis, as the filing fee in this matter has already been waived.