

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ANTONIO WILLIAMS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 68402

FILED

AUG 17 2015

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

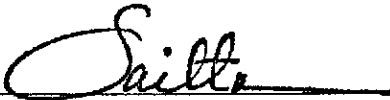
ORDER DISMISSING APPEAL

This is an appeal from an order denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

Our preliminary review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(g) revealed a jurisdictional defect. Specifically, the notice of appeal was untimely filed under NRAP 4(a). The district court's order denying appellant's petition was entered May 18, 2015. The district court served notice of entry of that order on appellant on the same date. However the notice of appeal was not filed until July 9, 2015, well after the expiration of the 30-day appeal period prescribed by NRS 34.575. "[A]n untimely notice of appeal fails to vest jurisdiction in this court." *Lozada v. State*, 110 Nev. 349, 352, 871

P.2d 944, 946 (1994). Accordingly, we conclude that we lack jurisdiction over this appeal and we

ORDER this appeal DISMISSED.¹


Saitta J.


Gibbons J.


Pickering J.

cc: Hon. Douglas Smith, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Richard Antonio Williams
Eighth District Court Clerk

¹Although appellant has not been granted permission to file documents in this matter in proper person, *see* NRAP 46(b), we have received and considered appellant's proper person documents. We deny as moot the Clark County Public Defender's motion to withdraw as counsel.