

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRADLEY ELLINGSON,  
Appellant,  
vs.  
WARDEN BRIAN WILLIAMS; AND  
THE STATE OF NEVADA,  
Respondents.

No. 75616

**FILED**

MAY 14 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order dismissing a postconviction petition for a writ of habeas corpus. Seventh Judicial District Court, White Pine County; Steve L. Dobrescu, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order dismissing appellant's petition on November 9, 2017. The district court served notice of entry of that order on appellant on November 9, 2017. Appellant did not file the notice of appeal, however, until April 16, 2018, well after the expiration of the thirty-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 to consider this appeal, and we

ORDER this appeal DISMISSED.

Pickering, J.  
Pickering

Gibbons J.  
Gibbons

Hardesty, J.  
Hardesty

cc: Hon. Steve L. Dobrescu, District Judge  
Bradley Ellingson  
Attorney General/Carson City  
White Pine County Clerk