

IN THE SUPREME COURT OF THE STATE OF NEVADA

NICOLE CHRISTINE FOLLOWILL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 76697

**FILED**

SEP 17 2018

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

*ORDER DISMISSING APPEAL*

This is a “Notice of Appeal to the Supreme Court of Nevada for Appeal of Post Conviction Writ of Habeas Corpus.” Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.

This court’s review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal was untimely filed.<sup>1</sup> NRS 34.575(1); NRAP 4(b); NRAP 26(a); NRAP 26(c). The district court entered its order dismissing appellant’s petition on February 14, 2017. The district court served notice of entry of that order on appellant on February 14, 2017. Appellant did not file the notice of appeal, however, until August 14, 2018, 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).

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<sup>1</sup>Appellant has already appealed this decision, and the Court of Appeals affirmed the order of the district court. See *Followill v. State*, Docket No. 72731 (Order of Affirmance, June 13, 2018). A second duplicate appeal may not be pursued.

Accordingly, we conclude that we lack jurisdiction to consider this appeal,  
and we

ORDER this appeal DISMISSED.

Cherry, J.  
Cherry

Parraguirre  
Parraguirre

Stiglich, J.  
Stiglich

cc: Hon. Thomas W. Gregory, District Judge  
Nicole Christine Followill  
Attorney General/Carson City  
Douglas County District Attorney/Minden  
Douglas County Clerk