

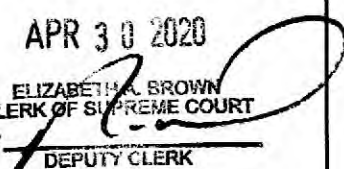
IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTIAN C. CAPLES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 80975

FILED

APR 30 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court "Order Denying Motion for District Court Order for the Nevada Department of Corrections to Correct Christian Caples PED." Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

No statute or court rule provides for an appeal from the above-mentioned order. *Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). To the extent that appellant's appeal is in regard to the order denying a postconviction petition for a writ of habeas corpus entered on January 31, 2019, the notice of appeal was untimely filed. "[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, this court

ORDERS this appeal DISMISSED.


Gibbons


Stiglich, J.


Silver, J.

cc: Hon. Linda Marie Bell, Chief Judge
Christian C. Caples
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk