

IN THE SUPREME COURT OF THE STATE OF NEVADA

CRISTOBAL BENAVIDES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85335

**FILED**

SEP 27 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from an order of the district court denying a postconviction petition for a writ of habeas corpus. This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered its order denying appellant's petition on June 2, 2022. The district court served notice of entry of that order on appellant on June 6, 2022. Appellant did not file the notices of appeal, however, until September 6, 2022, well after the expiration of the 30-day appeal period prescribed by NRS 34.575. *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (explaining that an untimely notice of appeal fails to vest jurisdiction in this court). Accordingly, this court lacks jurisdiction to consider this appeal, and ORDERS this appeal DISMISSED.

*[Signature]*, J.  
Hardesty

*[Signature]*, J.  
Stiglich

*[Signature]*, J.  
Herndon

cc: Chief Judge, Eighth Judicial District Court  
Eighth Judicial District Court, Department 17  
Cristobal Benavides  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk