

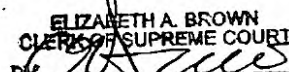
IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN CASTRO,
Appellant,
vs.
TIM GARRETT, WARDEN,
Respondent.

No. 85437

FILED

OCT 17 2022

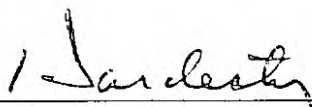
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

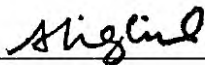
ORDER DISMISSING APPEAL


This is a pro se notice of appeal from a district court order dismissing 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 August 5, 2022. The district court served notice of entry of that order on appellant on August 11, 2022. Appellant did not file the notice of appeal, however, until September 28, 2022, well after the expiration of the 30-day appeal period prescribed by NRS 34.575. *See 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

ORDERS this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Stiglich


_____, J.
Herndon

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