

IN THE SUPREME COURT OF THE STATE OF NEVADA

LESEAN TARUS COLLINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 68838

FILED

SEP 25 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER TO SHOW CAUSE AND SUSPENDING BRIEFING

This is an appeal from a district court order denying a post-conviction petition for a writ of habeas corpus. Our initial review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal appears to be untimely. The aforementioned order was entered on July 24, 2015, and the notice of entry of order was entered on July 27, 2015. However, the notice of appeal was not filed until September 17, 2015, well after the expiration of the 30-day appeal period prescribed by NRS 34.575(1). "[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, appellant's counsel shall have 20 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondent shall have 10 days from the filing of any response to file any reply. The deadlines for filing documents are suspended until further order of this court.

It is so ORDERED.

1. Jardesth, C.J.

cc: Matthew D. Carling
Lesean Tarus Collins
Attorney General/Carson City
Clark County District Attorney