

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA BOARD OF
PAROLE COMMISSIONERS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 75799

FILED

JUN 08 2018

ELIZABETH A. BROWN
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 petition for modification of sentence. This court's review of this appeal reveals jurisdictional defects. Specifically, it appears that appellant is not an aggrieved party. See NRS 177.015(3) (only an aggrieved party may appeal). Further, it appears that the appeal was untimely filed. The district court entered the order denying the petition on March 23, 2018. Appellant did not file the notice of appeal, however, until April 30, 2018, seven days after the thirty-day appeal period prescribed by NRAP 4(b). "[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 11 days from the filing of any response to file any reply.

The briefing of this appeal is suspended until further order of this court.

It is so ORDERED.¹

 C.J.

cc: Attorney General/Carson City
Attorney General/Dep't of Public Safety/Carson City
Washoe County District Attorney

¹Given this order, we defer ruling on appellant's motion to hold appeal in abeyance.