

IN THE UTAH COURT OF APPEALS

-----ooOoo-----

State of Utah, in the)	MEMORANDUM DECISION
interest of J.B., a person)	(Not For Official Publication)
under eighteen years of age.)	
_____)	Case No. 20071018-CA
)	
J.B.,)	F I L E D
)	(February 14, 2008)
Appellant,)	
)	2008 UT App 45
v.)	
)	
State of Utah,)	
)	
Appellee.)	

First District Juvenile, Brigham City Department, 514515
The Honorable Larry E. Jones

Attorneys: Travis R. Marker, Ogden, for Appellant
Mark L. Shurtleff, Carol L.C. Verdoia, and John M.
Peterson, Salt Lake City, for Appellee

Before Judges Thorne, Bench, and Billings.

PER CURIAM:

J.B. (Father) appeals the termination of his parental rights. Because this court lacks jurisdiction over the appeal, we dismiss it.

Rule 52(a) of the Utah Rules of Appellate Procure provides that an appellant from a child welfare case must file his notice of appeal within fifteen days of the entry of the order appealed from. See Utah R. App. P. 52(a). This court lacks jurisdiction over an appeal filed more than fifteen days after entry of an order terminating parental rights. See In re A.M., 2005 UT App 2, ¶ 6, 106 P.3d 193. Father concedes that his notice of appeal was not timely filed. Thus, this court lacks jurisdiction over this appeal.

Father filed a motion for extension of time after discovering that the notice of appeal was untimely. Rule 59(a) of the Utah Rules of Appellate Procedure provides that a motion

for extension of time must be filed "prior to the expiration of time prescribed by Rule 52." Utah R. App. P. 59(a). Because Father filed his motion for extension of time more than fifteen days after entry of the order appealed from, the juvenile court lacked jurisdiction to grant the untimely motion. See id.

Accordingly, Father's appeal is dismissed.

William A. Thorne Jr.,
Associate Presiding Judge

Russell W. Bench, Judge

Judith M. Billings, Judge