

IN THE UTAH COURT OF APPEALS

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State of Utah, in the)	MEMORANDUM DECISION
interest of A.T., a person)	(Not For Official Publication)
under eighteen years of age.)	
_____)	Case No. 20080434-CA
)	
M.S.,)	F I L E D
)	(July 10, 2008)
Appellant,)	
)	2008 UT App 268
v.)	
)	
State of Utah,)	
)	
Appellee.)	

Third District Juvenile, Salt Lake Department, 523712
The Honorable Frederic M. Oddone

Attorneys: Lisa B. Lokken, Salt Lake City, for Appellant
Mark L. Shurtleff and Carol L.C. Verdoia, Salt Lake
City, for Appellee
Martha Pierce, Salt Lake City, Guardian Ad Litem

Before Judges Greenwood, Thorne, and Orme.

PER CURIAM:

M.S. (Mother) appeals the termination of her parental rights. Because the notice of appeal was not timely filed, we lack jurisdiction to consider the merits of her appeal.

The juvenile court entered its findings of fact, conclusions of law, and order terminating parental rights on April 24, 2008. The notice of appeal was due fifteen days after entry of the final order. See Utah R. App. P. 52(a) ("A notice of appeal from an order in a child welfare proceeding . . . must be filed within 15 days of the entry of the order appealed from."). Accordingly, the notice of appeal was due on May 9, 2008. Mother both signed and filed her notice of appeal on May 12, 2008.

Because the notice of appeal was untimely, we lack jurisdiction to consider the merits of the appeal. See Serrato v. Utah Transit Auth., 2000 UT App 299, ¶ 7, 13 P.3d 616. Once a

court has determined that it lacks jurisdiction, it "retains only the authority to dismiss the action." Varian-Eimac, Inc. v. Lamoreaux, 767 P.2d 569, 570 (Utah Ct. App. 1989).

We dismiss the appeal for lack of jurisdiction.

Pamela T. Greenwood,
Presiding Judge

William A. Thorne Jr.,
Associate Presiding Judge

Gregory K. Orme, Judge