

IN THE UTAH COURT OF APPEALS

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State of Utah, in the interest)	MEMORANDUM DECISION
of B.M. and D.M., persons)	(Not For Official Publication)
under eighteen years of age.)	Case No. 20080342-CA
_____)	
)	
M.M.,)	F I L E D
)	(July 10, 2008)
Appellant,)	
)	2008 UT App 266
v.)	
)	
State of Utah,)	
)	
Appellee.)	

Third District Juvenile, Salt Lake Department, 531799
The Honorable Andrew A. Valdez

Attorneys: T. Laura Lui, 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.M. (Father) appeals from the juvenile court's permanency order dated March 31, 2008. We dismiss the appeal.

"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." Utah R. App. P. 52(a). The time for filing a child welfare appeal may be extended only by motion filed before the expiration of the original fifteen-day filing time. See *id.* R. 59(a). These time frames cannot be suspended or extended. See *id.* R. 2. The order Father appeals from was entered on March 31, 2008. Accordingly, he was required to file his notice of appeal no later than fifteen days after that date, or April 15, 2008. Father's counsel filed a notice of appeal

and a certificate of diligent search with the juvenile court on April 16, 2008.¹ Therefore, the notice of appeal was untimely.

Based upon the untimely notice of appeal, this court lacks jurisdiction over this appeal and must therefore dismiss it. See In re A.M., 2005 UT App 2, ¶ 5, 106 P.3d 193 (mem.) (per curiam).

Pamela T. Greenwood,
Presiding Judge

William A. Thorne Jr.,
Associate Presiding Judge

Gregory K. Orme, Judge

1. Father later filed an amended notice of appeal which contained his signature.