

IN THE UTAH COURT OF APPEALS

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Timothy D. Neville,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Plaintiff and Appellant,	)	
	)	Case No. 20080058-CA
v.	)	
	)	F I L E D
	)	(April 3, 2008)
Mark Fletcher; James L.	)	
Neville Living Trust;	)	2008 UT App 119
James L. Neville Estate;	)	
Marthlyn B. Neville	)	
Living Trust,	)	
	)	
Defendants and Appellees.	)	

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Third District, Salt Lake Department, 060914347  
The Honorable Denise P. Lindberg

Attorneys: Timothy D. Neville, Boise, Idaho, Appellant Pro Se  
Stephen M. Sargent and Michael T. Hoppe, Salt Lake  
City; James R. Blakesley, Saratoga Springs, for  
Appellees

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Before Judges Greenwood, Thorne, and Billings.

PER CURIAM:

Timothy D. Neville appeals the trial court's final order entered on December 7, 2007. This is before the court on its own motion for summary disposition.

Pursuant to rule 4(a) of the Utah Rules of Appellate Procedure, a notice of appeal must be filed with the clerk of the trial court within thirty days after the entry of the judgment or the order appealed. See Utah R. App. P. 4(a). Under the rule, Neville's notice of appeal was required to be filed no later than January 7, 2008.

Neville's notice of appeal was filed in the trial court on January 8, 2008, more than thirty days after the entry of the order dismissing his case. Thus, Neville's notice of appeal is untimely. If an appeal is not timely filed, this court lacks

jurisdiction to consider the appeal and must dismiss it. See  
Serrato v. Utah Transit Auth., 2000 UT App 299, ¶ 7, 13 P.3d 616.

Accordingly, this appeal is dismissed.

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Pamela T. Greenwood,  
Presiding Judge

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William A. Thorne Jr.,  
Associate Presiding Judge

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Judith M. Billings, Judge