

IN THE UTAH COURT OF APPEALS

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In the matter of the estate of)	MEMORANDUM DECISION
Charlie Reynolds Jr.,)	(Not For Official Publication)
deceased.)	
-----)	Case No. 20070701-CA
)	
Toya Jeff Reynolds,)	
)	F I L E D
)	(November 16, 2007)
Appellant,)	
)	
v.)	
)	
Estate of Charlie Reynolds)	
Jr., George B. Handy, and)	
State of Utah,)	
)	
Appellees.)	

2007 UT App 373

Second District, Ogden Department, 063900232
The Honorable Pamela G. Heffernan

Attorneys: Toya Jeff Reynolds, Ogden, Appellant Pro Se
George B. Handy, Ogden, for Appellees

Before Judges Bench, Greenwood, and Billings.

PER CURIAM:

Toya Jeff Reynolds seeks to appeal the trial court's order requiring the decedent's house to be sold. This is before the court on its own motion for summary disposition based on lack of jurisdiction due to an untimely filed notice of appeal.

The trial court entered the order at issue on January 3, 2007. Reynolds did not file his notice of appeal until August 28, 2007. Under rule 4 of the Utah Rules of Appellate Procedure, a notice of appeal must be filed within thirty days after the entry of the order appealed from. See Utah R. App. P. 4(a). If an appeal is not timely filed, this court lacks jurisdiction and must dismiss the appeal. See Serrato v. Utah Transit Auth., 2000 UT App 299, ¶ 7, 13 P.3d 616. Reynolds's notice of appeal was filed several months after the entry of the order and is

untimely. Therefore, this courts lacks jurisdiction over this appeal.

Dismissed.

Russell W. Bench,
Presiding Judge

Pamela T. Greenwood,
Associate Presiding Judge

Judith M. Billings, Judge