

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN FOX,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43206

FILED

JUN 09 2004

ORDER DISMISSING APPEAL

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a motion to correct an illegal sentence. This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order denying appellant's motion on January 9, 2004. Appellant did not file the notice of appeal, however, until April 21, 2004, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Becker _____, J.
Becker

Agosti _____, J.
Agosti

Gibbons _____, J.
Gibbons

¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

cc: Hon. Donald M. Mosley, District Judge
Kevin Fox
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk