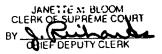
IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 43206

JUN 0 9 2004

ORDER DISMISSING APPEAL



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. Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Becker

Becker

J.

Agostî

Gibbons

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

SUPREME COURT OF NEVADA 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