

IN THE SUPREME COURT OF THE STATE OF NEVADA

BILLY BERNARD, JR. A/K/A BILLEY
WEBB BERNARD, JR. A/K/A BILL W.
BERNARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43550

FILED

AUG 19 2004

JANETTE M. FLORES
CLERK OF SUPREME COURT
BY *J. Lozada*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. The district court entered the judgment of conviction on May 22, 1995. Appellant did not file the notice of appeal, however, until June 28, 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. Sally L. Loehrer, District Judge
Billy Bernard Jr.
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk