IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE A. SALAZAR. Appellant,

THE STATE OF NEVADA,

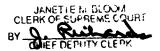
Respondent.

No. 44060

FILED

NOV 0 4 2004

ORDER DISMISSING APPEAL



This is a proper person appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on August 12, 2004. Appellant did not file the notice of appeal, however, until October 4, 2004, after the expiration of the thirtyday 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.

J.

Agosti

Gibbons

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

SUPREME COURT NEVADA

J.

J.

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