

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD KWAME GAINES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44244

FILED

DEC 10 2004

ORDER DISMISSING APPEAL

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

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of attempted robbery. Eighth Judicial District Court, Clark County; Jennifer Togliatti, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on September 2, 2004. Appellant did not file the notice of appeal, however, until November 9, 2004, 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

J. Bloom _____, J.
Gibbons

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

cc: Hon. Jennifer Togliatti, District Judge
Clark County Public Defender Philip J. Kohn
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk