

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE RAMON MENDOZA-GAUNA
A/K/A JOSE RAMON MENDOZA A/K/A
JOSE RAMON GAUNA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44464

FILED

FEB 10 2005

JANETTE M BLOOM
CLERK OF SUPREME COURT

BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

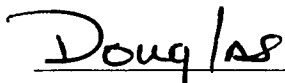
This is a proper person appeal from an order of the district court denying a motion of coram nobis by a person in federal custody. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

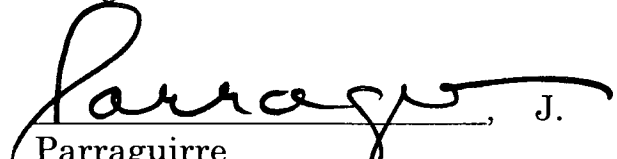
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order denying the motion on March 2, 2004. Appellant did not file the notice of appeal, however, until December 29, 2004, well after the expiration of the thirty-day appeal period 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.²

 J.
Maupin

 J.
Douglas

 J.
Parraguirre

cc: Hon. Lee A. Gates, District Judge
Jose Ramon Mendoza-Gauna
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

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

²We deny as moot appellant's motion for prompt response.