

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS JUNIOR COOPER, III A/K/A
DENNIS COOPER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44512

FILED

FEB 10 2005

ORDER DISMISSING APPEAL

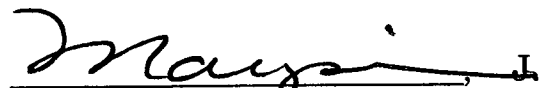
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


This is a proper person appeal from an order of the district court denying a motion to vacate an illegal sentence and to return illegally seized property. Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge.


This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order denying appellant's motion on December 7, 2004. Appellant did not file the notice of appeal, however, until January 10, 2005, after the expiration of the thirty-day appeal period prescribed by NRAP 4(b).¹ An untimely

¹Appellant's notice of appeal was due on January 6, 2005. Appellant's notice of appeal was not dated until January 7, 2005, one day beyond the statutory time period.

notice of appeal fails to vest jurisdiction in this court.² Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we
ORDER this appeal DISMISSED.


Maupin


Douglas


Parraguirre

cc: Hon. Joseph T. Bonaventure, District Judge
Dennis Junior Cooper III
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

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