

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW LOUIS CUSHMAN, SR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44532

FILED

MAR 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 a judgment of conviction. This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on October 5, 2004. Appellant did not file the notice of appeal, however, until January 11, 2005, 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.

Maupin, J.
Maupin

Douglas, J.
Douglas

Parraguirre, J.
Parraguirre

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

cc: Hon. Michael P. Gibbons, District Judge
Matthew Louis Cushman Sr.
Attorney General Brian Sandoval/Carson City
Douglas County District Attorney/Minden
Douglas County Clerk