

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE R. ESCOBAR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44755

FILED

APR 11 2005

ORDER DISMISSING APPEAL


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


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of robbery with the use of a deadly weapon, and one count of battery with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

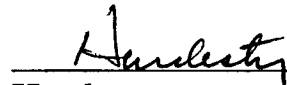
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on December 4, 2003. Appellant did not file the notice of appeal, however, until February 22, 2005, well after the expiration of the thirty-day appeal period 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.


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Kathy A. Hardcastle, 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

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