

IN THE SUPREME COURT OF THE STATE OF NEVADA.

QUY VAN NGO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 44791

FILED

MAR 22 2005

ORDER DISMISSING APPEAL

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

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

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on July 9, 2004. Appellant did not file the notice of appeal, however, until February 25, 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.<sup>1</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

*Rose*  
\_\_\_\_\_, J.  
Rose

*Gibbons*  
\_\_\_\_\_, J.  
Gibbons

*Hardesty*  
\_\_\_\_\_, J.  
Hardesty

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

cc: Hon. Michelle Leavitt, District Judge  
Quy Van Ngo  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk