

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL T. LEE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 45237

**FILED**

JUL 06 2005

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

ORDER DISMISSING APPEAL

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; Joseph T. Bonaventure, Judge.

This court's preliminary review of this appeal revealed a jurisdictional defect. Specifically, the judgment was entered by the district court on March 24, 2005. The notice of appeal was filed on May 6, 2005, after 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>


It appeared possible that the notice of appeal was delivered to prison officials within the thirty (30) day period, and might therefore be timely. Accordingly, on May 20, 2005, this court ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of


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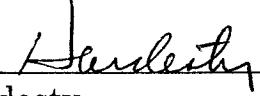
<sup>1</sup>See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

jurisdiction. Counsel has failed to respond to the order to show cause. We conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

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

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

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

cc: Hon. Joseph T. Bonaventure, 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