

IN THE SUPREME COURT OF THE STATE OF NEVADA

YAHAIRA RODRIGUEZ-MAYA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45292

FILED

JUL 0 5 2005

ORDER DISMISSING APPEAL

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

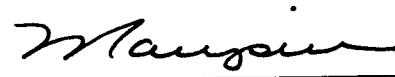
This is an appeal from an amended judgment of conviction, pursuant to a guilty plea, of one count of trafficking in a controlled substance. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

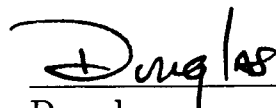
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the amended judgment of conviction on March 11, 2005. Appellant did not file the notice of appeal, however, until May 12, 2005, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b).

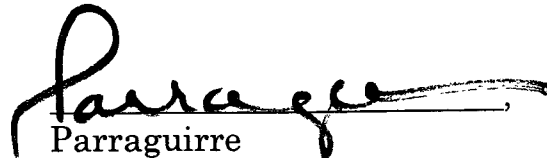
In the notice of appeal, counsel for appellant concedes that the notice of appeal is untimely, but asserts that she did not receive the amended judgment of conviction until May 12, 2005, and that she was waiting for the amended judgment to be mailed to her before filing the notice of appeal. An untimely 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.
Maupin


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Brent T. Adams, District Judge
Mary Lou Wilson
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

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