

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL BENNET NELSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 45321

**FILED**

JUL 06 2005


ORDER DISMISSING APPEAL


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

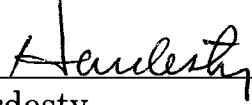
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of two counts of sexual assault of a minor under the age of 16. Eighth Judicial District Court, Clark County; Michael A. Cherry, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on February 26, 2004. Appellant did not file the notice of appeal, however, until May 23, 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.

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

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

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

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

cc: Hon. Michael A. Cherry, District Judge  
Michael Bennet Nelson  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk