

IN THE SUPREME COURT OF THE STATE OF NEVADA

HEATH ROBERT GRABE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 45671

**FILED**

OCT 03 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 sexual assault. Second Judicial District Court, Washoe County; Janet J. Berry, Judge.


This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on June 1, 2005. Appellant did not file the notice of appeal, however, until July 14, 2005, 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

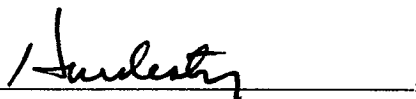
ORDER this appeal DISMISSED.<sup>2</sup>

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

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

<sup>2</sup>Because appellant is represented by counsel in this matter, we decline to grant appellant permission to file documents in proper person in this court. See NRAP 46(b). Accordingly, the clerk of this court shall return to appellant unfiled all proper person documents appellant has submitted to this court in this matter.

cc: Hon. Janet J. Berry, District Judge  
Washoe County Public Defender  
Attorney General Brian Sandoval/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk  
Heath Robert Grabe