

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS JOSEPH MOLINA A/K/A  
DENNIS JOSEPH MANAWIS-MOLINA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 45864

**FILED**

OCT 21 2005

ORDER DISMISSING APPEAL

JANE FLE 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 invasion of the home. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge. The district court sentenced appellant to a prison term of 18 to 48 months, suspended the sentence and placed appellant on probation for a period not to exceed 3 years.


This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on June 24, 2005. Initially, appellant sent the notice of appeal to the United States District Court, and the notice of appeal was not actually filed in the state district court until August 24, 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>

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

Accordingly, we conclude that we lack jurisdiction to consider this appeal,  
and we

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

 \_\_\_\_\_, J.  
Douglas

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

 \_\_\_\_\_, J.  
Parraguirre

cc: Hon. Michelle Leavitt, 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

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<sup>2</sup>On September 14, 2005, the Clark County Public Defender filed a motion to withdraw as counsel in this appeal. Cause appearing, the motion is granted.