

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONNY LEYVA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45940

FILED

OCT 20 2005

ORDER DISMISSING APPEAL

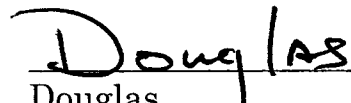
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of second degree murder and one count of attempted murder. Eighth Judicial District Court, Clark County; Michael A. Cherry, Judge.

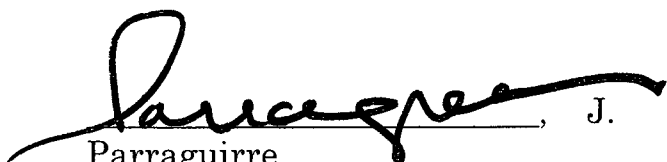
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on May 19, 2005. Appellant did not file the notice of appeal, however, until September 12, 2005, after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails

to vest jurisdiction in this court.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

 _____, J.
Douglas

 _____, J.
Rose

 _____, J.
Parraguirre

cc: Hon. Michael A. Cherry, 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
Ronny Leyva

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