

IN THE SUPREME COURT OF THE STATE OF NEVADA

JON D. BOLTON A/K/A JOHN WAYNE  
BOLDEN A/K/A JOHN BOLTON A/K/A  
JOHN DEWAYNE BOLTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 46123

**FILED**

**JAN 10 2006**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. R. [Signature]*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court denying appellant's motion to modify his sentence. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.


The order was entered by the district court on September 7, 2005. The notice of appeal was filed on October 12, 2005, after 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, on November 8, 2005, this court ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. Counsel has failed to


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

respond to this court's order to show cause. We conclude that we lack jurisdiction to entertain this appeal and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Maupin

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

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

cc: Hon. Donald M. Mosley, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk  
Jon Bolton