

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAYMOND FRANCIS SIMMONS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 46493

**FILED**

**JAN 30 2006**

ORDER DISMISSING APPEAL

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

This is an appeal from an order of the district court revoking appellant's probation. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.


This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order revoking probation on September 20, 2005. Appellant did not file the notice of appeal, however, until December 20, 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>

---

<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.

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

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

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

cc: Hon. Donald M. Mosley, District Judge  
Cremen Law Offices  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk  
Raymond Francis Simmons