

IN THE SUPREME COURT OF THE STATE OF NEVADA


ADOLFO BENNY CARRERAS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 47512

**FILED**

JUL 27 2006

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY  CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of attempted murder with the use of a deadly weapon, one count of resisting a public officer with a dangerous weapon, and one count of being an ex-felon in possession of a firearm. 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 April 25, 2006. Appellant did not file the notice of appeal, however, until June 9, 2006, after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). The notice of appeal was signed and dated on May 26, 2006, one day after the 30-day appeal period. An untimely notice of appeal fails to vest jurisdiction in this court.<sup>1</sup>


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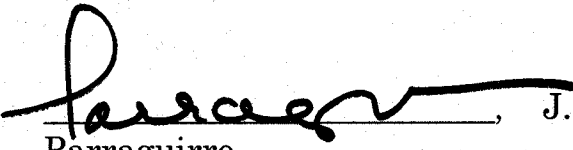
<sup>1</sup>See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

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

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

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

 \_\_\_\_\_, J.  
Becker

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

cc: Hon. Janet J. Berry, District Judge  
Washoe County Public Defender  
Attorney General George Chanos/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk  
Adolfo Benny Carreras

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<sup>2</sup>On June 22, 2006, counsel for appellant filed a motion in which counsel concedes that the notice of appeal was untimely, and seeking a stay of the proceedings. In light of this court's dismissal of this appeal, that motion is denied as moot.