

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES M. RACHIELL A/K/A JAMES
MICHAEL RACHIELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48851

FILED

FEB 23 2007

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

ORDER DISMISSING APPEAL

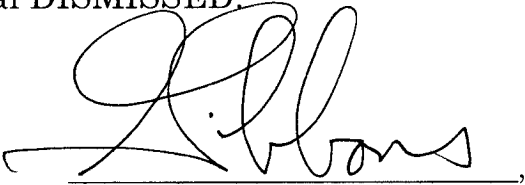
This is an appeal from an order of the district court revoking appellant's probation. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

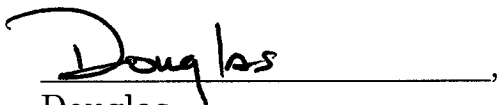
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order revoking appellant's probation on November 22, 2006. Appellant did not file the notice of appeal, however, until January 26, 2007, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.¹

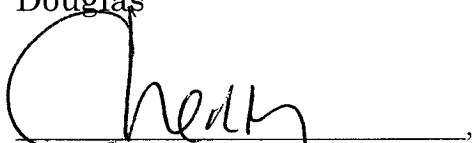
¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

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

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Donald M. Mosley, District Judge
Kocka & Bolton
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk
James M. Rachiell