

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL THOMAS DAVITT,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 49310

**FILED**

**MAY 31 2007**

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 burglary. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

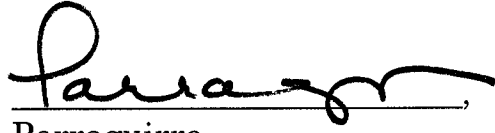
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on May 5, 2006. Appellant did not file the notice of appeal, however, until April 11, 2007, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.<sup>1</sup> Accordingly, we conclude that we lack


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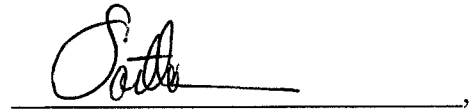
<sup>1</sup>See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

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

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

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Donald M. Mosley, District Judge  
Kenneth G. Frizzell III  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk  
Michael Thomas Davitt