

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES JEFFERSON KENNER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 50811

FILED

JAN 23 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

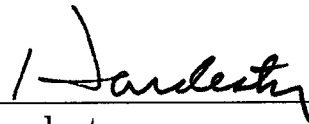
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of felony driving while under the influence. Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

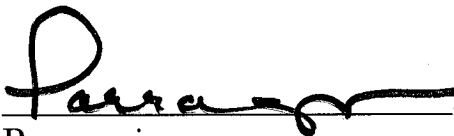
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on March 7, 2006. Appellant did not file the proper person notice of appeal in the district court, however, until December 21, 2007, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this

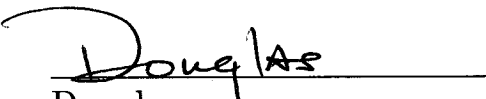
08-01702

court.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Jerome Polaha, District Judge
Washoe County Public Defender
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk
James Jefferson Kenner

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