

IN THE SUPREME COURT OF THE STATE OF NEVADA

AUBREY T. GRANT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 51489

FILED

JUN 09 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion to modify sentence. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

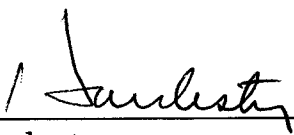
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order denying his motion on January 18, 2008. Appellant did not file the notice of appeal, however, until April 21, 2008, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b).¹ An untimely notice of appeal fails to vest jurisdiction in this court.² Accordingly, we conclude

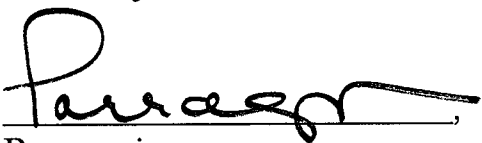
¹See also Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996).

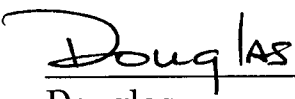
²See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Jackie Glass, District Judge
Aubrey T. Grant
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk