

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN WAYNE DEAL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52269

FILED

SEP 15 2008

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

ORDER DISMISSING APPEAL


This is a proper person appeal from a judgment of conviction. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

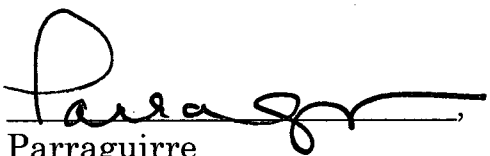
This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on November 2, 2007. Appellant did not file the notice of appeal, however, until August 20, 2008, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). "[A]n untimely notice of appeal fails to vest jurisdiction in this court."¹ Accordingly, we conclude

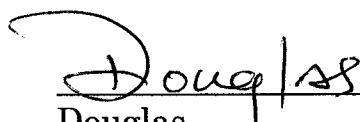
¹Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994).

that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Patrick Flanagan, District Judge
Kevin Wayne Deal
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk