

IN THE SUPREME COURT OF THE STATE OF NEVADA

WHITNEY LYNN STEELE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 52440

**FILED**

OCT 17 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 robbery with use of a deadly weapon. Fourth Judicial District Court, Elko County; J. Michael Memeo, Judge.

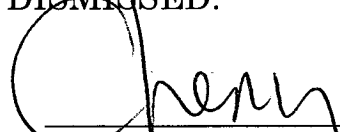
Our review of the documents in this appeal reveals a jurisdictional defect. Specifically, the notice of appeal is untimely. The judgment of conviction was entered on April 30, 2008. However, the notice of appeal was not filed until September 15, 2008, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). “[A]n untimely notice of appeal fails to vest jurisdiction in this court.”<sup>1</sup> Therefore, we


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

conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Maupin

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

cc: Hon. J. Michael Memeo, District Judge  
Lockie & Macfarlan, Ltd.  
Whitney Lynn Steele  
Attorney General Catherine Cortez Masto/Carson City  
Elko County District Attorney  
Elko County Clerk