

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAUSTEVEION D. JOHNSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52507

FILED

DEC 30 2008

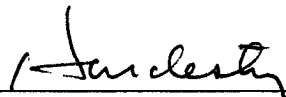
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CLERK OF SUPREME COURT
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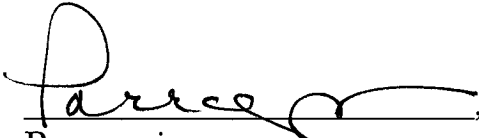
ORDER DISMISSING APPEAL BY

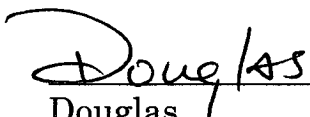
This is a proper person appeal from an order of the district court denying a motion to correct, reduce or set aside illegal conviction. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order on December 27, 2007. Appellant did not file the notice of appeal, however, until September 30, 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." Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994). 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. Michelle Leavitt, District Judge
Lausteveion Delano Johnson
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk