

IN THE SUPREME COURT OF THE STATE OF NEVADA

SERGIO CERVANTES RODRIGUES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53343

**FILED**

**MAR 30 2009**

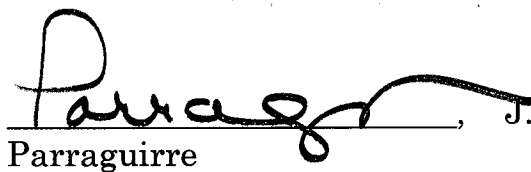
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

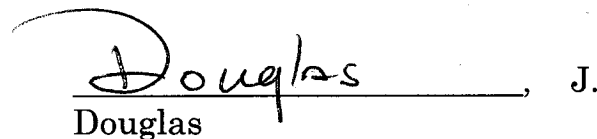
ORDER DISMISSING APPEAL

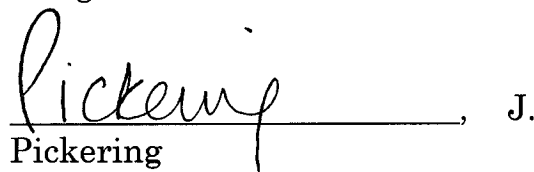
This is a proper person appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on December 22, 2208. Appellant did not file the notice of appeal, however, until March 2, 2009, 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.

  
Parraguirre J.

  
Douglas J.

  
Pickering J.

cc: Hon. David B. Barker, District Judge  
Sergio Cervantes Rodrigues  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk