

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY DANIEL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 34852

FILED

OCT 21 1999

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying appellant's motion to modify his sentence. Our review of this appeal indicates that the district court entered the order on August 10, 1999. Appellant did not file the notice of appeal, however, until September 16, 1999, after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). See Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996). An untimely notice of appeal fails to vest jurisdiction in this court. See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal dismissed.

Young, J.
Young
Agosti, J.
Agosti
Leavitt, J.
Leavitt

cc: Hon. Jeffrey D. Sobel, District Judge
Attorney General
Clark County District Attorney
Anthony Daniel
Clark County Clerk