

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER DANIEL PETROSKY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53618

**FILED**

MAY 05 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
*Tracy*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

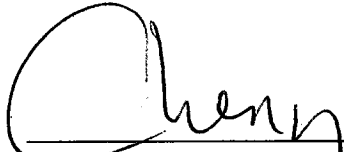
This appeal was initiated by the filing of a proper person notice of appeal. Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

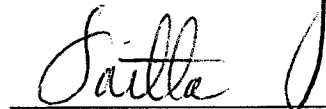
On April 14, 2009, appellant filed a proper person notice of appeal in the district court. The notice of appeal, however, did not specifically designate an order or decision of the district court. Our review of the documents before this court indicates that no appealable order has been entered in the district court at this time.

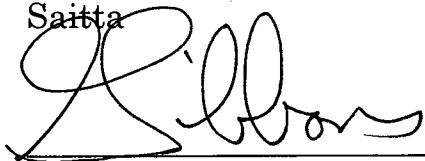
To the extent that appellant intended to appeal from the judgment of conviction, this court lacks jurisdiction over this appeal. The judgment of conviction was entered on December 4, 2008. The April 14, 2009 notice of appeal was filed well after the expiration of the thirty-day appeal period prescribed 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

ORDER this appeal DISMISSED.

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

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

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Jerome Polaha, District Judge  
Peter Daniel Petrosky  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk