## IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLTON FOWLER, Appellant, vs. THE STATE OF NEVADA, Respondent. No. 53654

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ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of conspiracy to commit robbery and robbery with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge

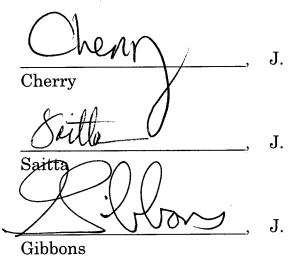
Our review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal is untimely. The judgment of conviction was entered on May 29, 2008. However, the notice of appeal was not filed until April 15, 2009, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). "[A]n untimely notice of appeal fails to vest jurisdiction in this court." <u>Lozada v. State</u>, 110 Nev. 349, 352, 871 P.2d

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944, 946 (1994). Therefore, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.



 cc: Eighth Judicial District Court Dept. 15, District Judge Carlton Fowler
Robert G. Lucherini, Chtd.
Attorney General Catherine Cortez Masto/Carson City Clark County District Attorney David J. Roger
Eighth District Court Clerk

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