

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN FRANCIS ARPINO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53805

FILED

JUN 22 2009

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

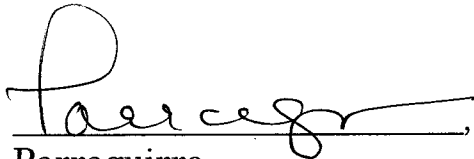
ORDER DISMISSING APPEAL

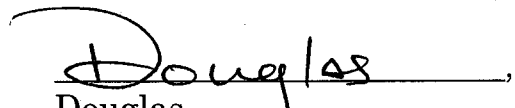
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of attempted theft. Eighth Judicial District Court, Clark County; Stewart L. Bell, Judge.

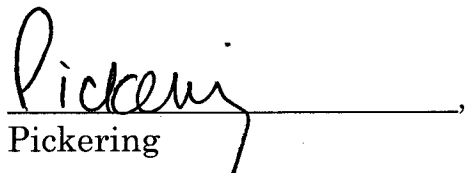
Our review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal is untimely. The judgment of conviction was entered on April 7, 2008. However, the notice of appeal was not filed until May 15, 2009, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). “[A]n untimely notice of appeal fails to vest jurisdiction in this court.” Lozada v. State, 110 Nev. 349, 352, 871 P.2d

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

ORDER this appeal DISMISSED.


Parraguirre J.


Douglas J.


Pickering J.

cc: Eighth Judicial District Court Dept. 7, District Judge
John Francis Arpino
Clark County Public Defender Philip J. Kohn
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk