

IN THE SUPREME COURT OF THE STATE OF NEVADA

BOBBY SCOTT, JR. A/K/A BOBBY
SCOTT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent,

No. 54067

FILED

AUG 06 2009

TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY *J. Cheop*
DEPUTY CLERK

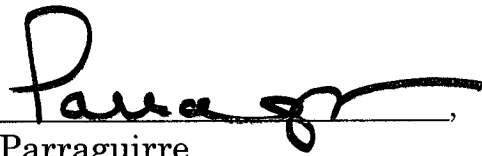
ORDER DISMISSING APPEAL

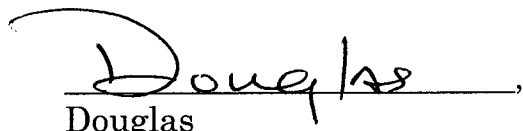
This is an appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

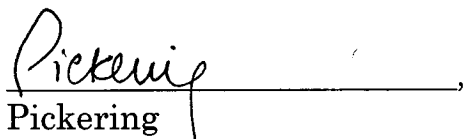
Our review of this appeal revealed a jurisdictional defect. Specifically, the notice of appeal appeared to be untimely. The judgment of conviction was entered on May 1, 2009. However, the notice of appeal was not filed until June 24, 2009, well after the expiration of the 30-day appeal period prescribed 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 ordered appellant’s counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. In response, appellant’s counsel informs this court that appellant mailed the notice of appeal a couple of days before the notice of

appeal was filed. Having reviewed the documents filed in this appeal, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. Donald M. Mosley, District Judge
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
Bobby Scott, Jr.