

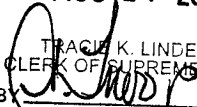
IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN DAVID LIPMAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54239

FILED

AUG 27 2009

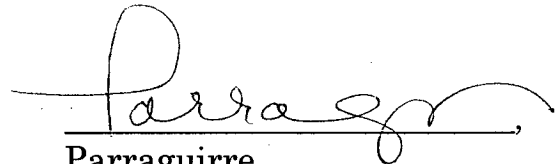
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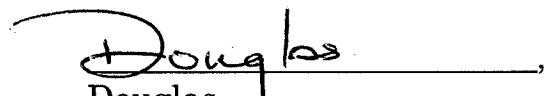
ORDER DISMISSING APPEAL

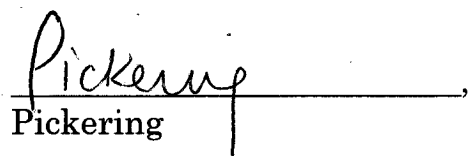
This is a proper person appeal from an order of the district court denying a motion for sentence modification. Eighth Judicial District Court, Clark County; Jennifer Togliatti, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order denying the motion on June 4, 2009. Appellant did not file the notice of appeal, however, until July 27, 2009, well 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). "[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 that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


Parraguirre J.


Douglas J.


Pickering J.

cc: Hon. Jennifer Togliatti, District Judge
Brian David Lipman
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk