

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY WILLIAM HUNTER A/K/A
GREG HUNTER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54474

FILED

SEP 24 2009

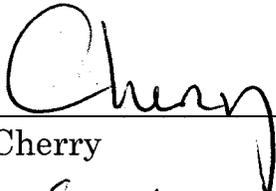
TRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of driving and/or being in actual physical control while under the influence of intoxicating liquor. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal is untimely. The judgment of conviction was entered in the district court on June 29, 2009. However, the notice of appeal was not filed until September 1, 2009, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b)(1). “[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). Therefore, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Stefany Miley, District Judge
Gregory William Hunter
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