

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID LEE TURNER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54841

FILED

NOV 24 2009

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on November 19, 2008. Appellant did not file the notice of appeal, however, until October 26, 2009, well after the expiration of the thirty-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 that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Valerie Adair, District Judge
David Lee Turner
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk