

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN CLIFFORD THORSEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54903

FILED

DEC 09 2009

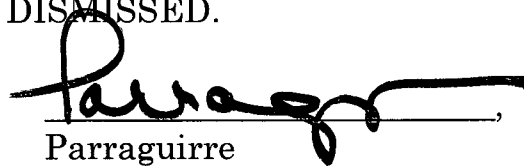
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CLERK OF SUPREME COURT
BY S. Young
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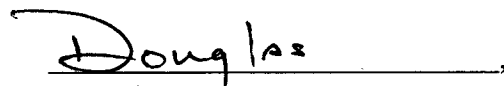
ORDER DISMISSING APPEAL

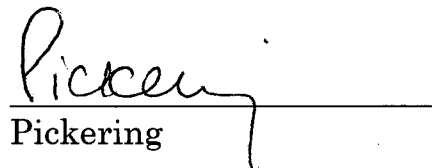
This is an appeal of a judgment of conviction, pursuant to a guilty plea, of one count of battery by a prisoner. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal is untimely. The judgment of conviction was entered on July 27, 2009. However, the notice of appeal was not filed until November 5, 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). Therefore, we conclude we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. Kathy A. Hardcastle, District Judge
Ryan Clifford Thorsen
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