

IN THE SUPREME COURT OF THE STATE OF NEVADA

LARGETT WASHINGTON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55492

FILED

MAR 11 2010

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

ORDER DISMISSING APPEAL

This is an appeal from a “decision of the District Court claiming judicial abuse of discretion and violation of constitutional right to due process and a fair trial.” Eighth Judicial District Court, Clark County; Doug Smith, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, appellant failed to identify an appealable order. To the extent that appellant appeals from the judgment of conviction entered on December 21, 2009, the notice of appeal is untimely as it was filed on February 22, 2010, well after 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). We therefore

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Doug Smith, District Judge
Largett Washington, Jr.
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk