

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROGER RAPHEAL BROWN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56204

**FILED**

JUL 19 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
*Tracie K. Lindeman*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of statutory sexual seduction. Second Judicial District Court, Washoe County; Steven R. Kosach, Judge. We conclude that the notice of appeal was not timely filed because appellant has failed to establish that it was delivered to a prison official for mailing within the appeal period prescribed by NRAP 4(b). See Kellogg v. Journal Communications, 108 Nev. 474, 477, 835 P.2d 12, 13 (1992) (a notice of appeal is deemed "filed" when it is delivered to a prison official). Accordingly, we lack jurisdiction to consider this appeal, see Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), and therefore

ORDER this appeal DISMISSED.

*Hardesty*, J.  
Hardesty

*Douglas*, J.  
Douglas

*Pickering*, J.  
Pickering

cc: Hon. Steven R. Kosach, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk  
Roger Rapheal Brown