

IN THE SUPREME COURT OF THE STATE OF NEVADA

JULIO E. ALMENDAREZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56288

FILED

JUL 15 2010

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

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

The notice of appeal was untimely filed. NRAP 4(b); NRS 34.575(1); NRAP 26(c). Because an 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 conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Hardesty J.
Hardesty

Douglas J.
Douglas

Pickering J.
Pickering

cc: Hon. Donald M. Mosley, District Judge
Julio E. Almendarez
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk