

IN THE SUPREME COURT OF THE STATE OF NEVADA

REYNALDO AQUINO, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56873

**FILED**

OCT 18 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Cherry  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

The notice of appeal was untimely filed. NRAP 4(b); Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996). 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.

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. David B. Barker, District Judge  
Reynaldo Aquino, Jr.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk