

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRYAN C. MCMILLAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58304

FILED

JUN 03 2011

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 motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Doug Smith, 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

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Doug Smith, District Judge
Bryan C. McMillan
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk