

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK ORTIZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58457

FILED

JUN 20 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 for modification of sentence structure. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

The notice of appeal was untimely filed. NRAP 4(b); see also 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. Valorie Vega, District Judge
Frank Ortiz
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk