

IN THE SUPREME COURT OF THE STATE OF NEVADA

ATHAN ROBINSON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59724

FILED

JAN 17 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of discharging a firearm at or into a room; and an order revoking probation. Second Judicial District Court, Washoe County; Janet J. Berry, Judge. The notice of appeal was filed on November 21, 2011, well after the 30-day appeal period prescribed by NRAP 4(b). We lack jurisdiction to consider this appeal, see Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), therefore we

ORDER this appeal DISMISSED.¹

[Signature]
_____, J.
Gibbons

[Signature]
_____, J.
Douglas

[Signature]
_____, J.
Parraguirre

¹To the extent that appellant claims his counsel's ineffectiveness deprived him of a timely direct appeal, such a claim should be raised in a timely post-conviction petition for a writ of habeas corpus. See NRAP 4(c). We express no opinion as to whether appellant can meet the procedural requirements of NRS chapter 34.

cc: Hon. Janet J. Berry, District Judge
Athan Robinson, Jr.
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk