

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DUANE SMITH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60696

FILED

MAY 17 2012

TACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Hingorani*
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; Abbi Silver, 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.

Douglas
_____, J.
Douglas

Gibbons
_____, J.
Gibbons

Parraguirre
_____, J.
Parraguirre

cc: Hon. Abbi Silver, District Judge
Michael Duane Smith
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk