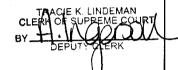
IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DUANE SMITH, Appellant, vs. THE STATE OF NEVADA, Respondent. No. 60696

FILED

MAY 1 7 2012



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, <u>Lozada v. State</u>, 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.

J.

Gibbons

J.

Parraguirre

SUPREME COURT OF NEVADA

(O) 1947A

12-15733

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