

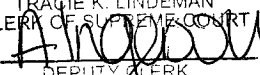
IN THE SUPREME COURT OF THE STATE OF NEVADA

XUE BAO CHEN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 61149

**FILED**


JUL 19 2012

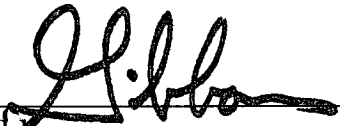
TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
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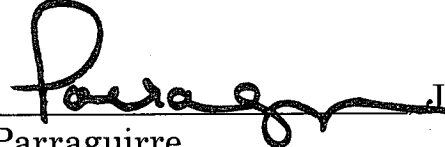
ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of two counts of battery with a deadly weapon. First Judicial District Court, Carson City; James Todd Russell, Judge. The notice of appeal was filed in the district court more than a year after the 30-day appeal period prescribed by NRAP 4(b)(1). Therefore, we lack jurisdiction, Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (“[A]n untimely notice of appeal fails to vest jurisdiction in this court.”), and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. James Todd Russell, District Judge  
State Public Defender/Carson City  
Attorney General/Carson City  
Carson City District Attorney  
Carson City Clerk  
Xue Bao Chen