

IN THE SUPREME COURT OF THE STATE OF NEVADA

NESTOR M. BRIONES GUTIERREZ  
A/K/A NESTOR BRIONES GUTIERREZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 61167

FILED

OCT 15 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Ingoua*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order denying a motion to withdraw a guilty plea. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

The notice of appeal was untimely filed. NRAP 4(b); 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.

*Saitta* \_\_\_\_\_, J.  
Saitta

*Pickering* \_\_\_\_\_, J.  
Pickering

*Hardesty* \_\_\_\_\_, J.  
Hardesty

cc: Hon. Michael Villani, District Judge  
Nestor M. Briones Gutierrez  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk