

IN THE SUPREME COURT OF THE STATE OF NEVADA

XAVIAN BELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61586

FILED

OCT 15 2012

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

ORDER DISMISSING APPEAL

This is a proper person appeal from an order denying a motion to modify sentence. Eighth Judicial District Court, Clark County; Jerome T. Tao, 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. Jerome T. Tao, District Judge
Xavian Bell
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk