

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCUS SHAAN FINLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61848

FILED

NOV 20 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Angela
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an amended judgment of conviction.
Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

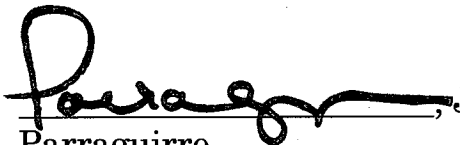
An appeal from an amended judgment of conviction may only challenge the judgment of conviction to the extent that the amended judgment of conviction differs from the original judgment of conviction. Because the amended judgment of conviction granted the relief requested by appellant and does not otherwise differ from the original judgment of conviction, appellant is not an aggrieved party with respect to the amended judgment of conviction. Further, to the extent this appeal can be construed as an appeal from the original judgment of conviction, the notice of appeal was not timely filed. See NRAP 4(b)(1)(A). Therefore, we lack jurisdiction, see NRS 177.015 (only an aggrieved party may appeal);

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 M. Bixler, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Marcus Shaan Finley