

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK SENIOR SAMUEL, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 63414

FILED

AUG 01 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of burglary, robbery, battery by strangulation constituting domestic violence, and coercion. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

The judgment of conviction was entered on May 13, 2013. We lack jurisdiction because the notice of appeal was not filed until June 13, 2013, one day after the expiration of the 30-day appeal period prescribed by NRAP 4(b)(1)(A), *see Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), therefore we

ORDER this appeal DISMISSED.¹

J. Hardesty, J.
Hardesty

Parraguirre
Parraguirre

Cherry, J.
Cherry

¹To the extent that appellant asserts he has a valid appeal deprivation claim, such a claim must be raised in accordance with NRAP 4(c)(1) by filing a timely post-conviction petition for a writ of habeas corpus in the district court in the first instance

cc: Hon. Jessie Elizabeth Walsh, District Judge
Brent D. Percival
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Frank Senior Samuel, Jr.