


IN THE SUPREME COURT OF THE STATE OF NEVADA

DUANE E. WHITMORE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 64435

FILED

DEC 17 2013

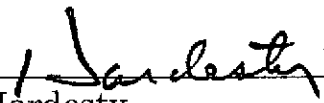
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

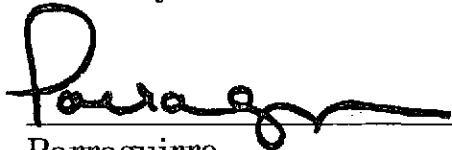
ORDER DISMISSING APPEAL

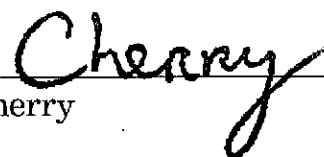
This is a proper person appeal from an order denying a motion to modify sentences to run concurrently. Eighth Judicial District Court, Clark County; Rob Bare, Judge.

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.

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

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

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Rob Bare, District Judge  
Duane E. Whitmore  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk