

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREK LOWELL KIRK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64485

FILED

MAR 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of robbery with the use of a deadly weapon, eluding a police officer, and assault with a deadly weapon. Second Judicial District Court, Washoe County; David A. Hardy, Judge.

We lack jurisdiction because the notice of appeal was not filed until November 15, 2013, well beyond 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) (“[A]n untimely notice of appeal fails to vest jurisdiction in this court.”), therefore we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. David A. Hardy, District Judge
Derek Lowell Kirk
Michael V. Roth
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk