

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL EDWARD TISDALE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64921

FILED

FEB 20 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of driving under the influence with two or more prior convictions. Fourth Judicial District Court, Elko County; Nancy L. Porter, Judge.

The notice of appeal in this matter was filed on January 28, 2014, six days beyond the expiration of the 30-day appeal period prescribed by NRAP 4(b). Counsel for appellant asserts in the notice of appeal that she was not served with a copy of the judgment until she requested a copy from the district court and, by the time she became aware a judgment had been filed, the appeal period had already lapsed. “[A]n untimely notice of appeal fails to vest jurisdiction in this court,” *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), and we cannot “extend the time to file a notice of appeal except as provided in

[NRAP] 4(c),” NRAP 26(b)(1)(A). Because the notice of appeal was not timely filed, we lack jurisdiction and we

ORDER this appeal DISMISSED.

Pickering, J.
Pickering

Parraguirre
Parraguirre

Saitta, J.
Saitta

cc: Hon. Nancy L. Porter, District Judge
Michael Edward Tisdale
Elko County Public Defender
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk