

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES E. MCCONNELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 67318

FILED

MAR 31 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of concealing evidence of a felony. Seventh Judicial District Court, White Pine County; Gary Fairman, Judge.

The judgment of conviction was entered on December 17, 2014. The notice of appeal in this matter was filed on January 23, 2015, seven days after the expiration of the prescribed 30-day appeal period. See NRAP 4(b)(1)(A). Accordingly, on February 3, 2015, we ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. 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."). In response to the show-cause order, appellant's counsel concedes the appeal is untimely, but because ^{appellant's trial counsel} she relied on the deputy ^{his} district attorney's representations in the notice of entry of judgment to ^{her} her detriment,¹ good cause under NRAP 26(b)(1)(A) can be shown to allow this

Per order
filed 4/13/15 →

Per
order
4/30/15 ←

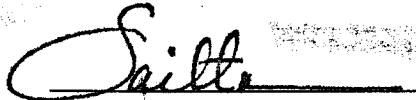
¹According to appellant's counsel, the notice of entry of judgment incorrectly stated that appellant had 30 days from the date that the notice of entry was mailed to file a notice of appeal from the judgment of conviction. See NRAP 4(b)(1)(A) (providing that, with certain exceptions that are not applicable here, a notice of appeal in a criminal case shall be


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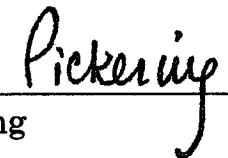
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court to extend the strict 30-day time limit prescribed by NRAP 4(b)(1)(A). Contrary to counsel's assertion, NRAP 26(b)(1)(A) prohibits discretionary extensions of time "to file a notice of appeal except as provided in [NRAP] 4(c)," and that exception has not been followed here. Because the notice of appeal was not timely filed, we lack jurisdiction and we

ORDER this appeal DISMISSED.


Saitta, J.


Gibbons, J.


Pickering, J.

cc: Hon. Gary Fairman, District Judge
James E. McConnell
State Public Defender/Ely
State Public Defender/Carson City
Attorney General/Carson City
White Pine County District Attorney
White Pine County Clerk

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filed in the district court within 30 days after the entry of the judgment or order being appealed).