

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 36186

WESLEY ANTHONY SOARES,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

JUL 24 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Rubark*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of possession of a controlled substance for the purpose of sale, and two counts of possession of credit cards without consent. The judgment of conviction was filed on April 11, 2000. The notice of appeal was filed on May 22, 2000, after the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court. See *Lozada v. State*, 110 Nev. 349, 871 P.2d 944 (1994).

Accordingly, on June 15, 2000, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. On July 6, 2000, counsel for appellant filed a response to this court's order. In the response, counsel for appellant concedes that the notice of appeal was untimely filed. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal dismissed.

Young
_____, J.
Young

Agosti
_____, J.
Agosti

Leavitt
_____, J.
Leavitt

cc: Hon. Janet J. Berry, District Judge
Attorney General
Washoe County District Attorney
Washoe County Public Defender
Washoe County Clerk