

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN RAY HOLMES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 70728

**FILED**

SEP 21 2016

*ORDER DISMISSING APPEAL*

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

This appeal was initiated by the filing of a pro se notice of appeal. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

On June 28, 2016, appellant filed a notice of appeal. No appealable order was designated in the notice of appeal. To the extent appellant appeals from the judgments of conviction entered on June 18, 1996, and December 7, 1999, the notice of appeal was untimely filed. NRAP 4(b); NRAP 26(a); NRAP 26(c). “[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). To the extent appellant appeals from the June 16, 2016, order, no statute or court rule permits an appeal from an order denying a motion pursuant to NRCP 60(B) in a criminal matter. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.

Cherry, J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

cc: Hon. Michael Villani, District Judge  
Kevin Ray Holmes  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk