

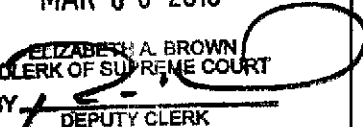
IN THE SUPREME COURT OF THE STATE OF NEVADA

MARSHALL BURGESS, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 74841

**FILED**

MAR 06 2018

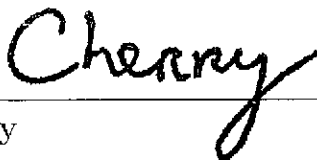
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se appeal from a district court order denying a motion to correct an illegal sentence and denying a motion for county jail time. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

Our review of this appeal reveals a jurisdictional defect. The notice of appeal was untimely filed. NRAP 4(b); NRAP 26(a); NRAP 26(c). Because an untimely notice of appeal fails to vest jurisdiction in this court, *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Stiglich

cc: Hon. Kathleen M. Drakulich, District Judge  
Marshall Burgess, Jr.  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk