

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL KEVIN GARDENHIRE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77701

FILED

FEB 13 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on February 9, 2018. Appellant did not file the notice of appeal, however, until December 13, 2018, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b).<sup>1</sup> "[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). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

*Hardesty*, J.  
Hardesty

*Stiglich*, J.  
Stiglich

*Silver*, J.  
Silver

<sup>1</sup>To the extent that appellant appeals from the amended judgment of conviction entered May 9, 2018, the notice of appeal is untimely.

cc: Hon. Douglas Smith, District Judge  
Michael Kevin Gardenhire  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk