

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMIE ALLEN BIRCUMSHAW,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 78201

FILED

APR 08 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. Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

This court's preliminary review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on February 20, 2018. Appellant did not file the notice of appeal, however, until February 25, 2019, well after the expiration of the thirty-day appeal period prescribed by NRAP 4(b). "[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

cc: Hon. Robert W. Lane, District Judge
Jamie Allen Bircumshaw
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk

Docket Number - 78267



78267

Document Year - 2019



2019

Document Number - 15101



15101

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM CLIFTON HALEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 78267

WILLIAM CLIFTON HALEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 78268

FILED

APR 08 2019

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

ORDER DISMISSING APPEALS

These are appeals from judgments of conviction. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Appellant's counsel has filed a notice of voluntary withdrawal of these appeals. Counsel advises this court that he has informed appellant of the legal effects and consequences of voluntarily withdrawing these appeals, including that appellant cannot hereafter seek to reinstate these appeals, and that any issues that were or could have been brought in these appeals are forever waived. Having been so informed, appellant consents to a voluntary dismissal of these appeals. Cause appearing, this court

ORDERS these appeals DISMISSED.¹

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

¹Because no remittitur will issue in these matters, *see* NRAP 42(b), the one-year period for filing a post-conviction habeas corpus petition under NRS 34.726(1) shall commence to run from the date of this order.

cc: Hon. Scott N. Freeman, District Judge
Washoe County Public Defender
William Clifton Haley
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk