

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS D. BENZLER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 37111

**FILED**

JAN 16 2001

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a judgment of conviction. Our review of this appeal indicates that the district court entered the judgment of conviction on October 10, 2000. Appellant did not file the notice of appeal, however, until December 1, 2000, well after the expiration of 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, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal dismissed.

*Young*  
\_\_\_\_\_  
Young, J.

*Rose*  
\_\_\_\_\_  
Rose, J.

*Becker*  
\_\_\_\_\_  
Becker, J.

cc: Hon. Jerome M. Polaha, District Judge  
Attorney General  
Washoe County District Attorney  
Washoe County Public Defender  
Washoe County Clerk  
Thomas D. Benzler