

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD EVERETT BROWN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82366

FILED

FEB 01 2021

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

ORDER DISMISSING APPEAL

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


This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the judgment of conviction on May 11, 2020. Appellant did not file the notice of appeal, however, until January 14, 2021, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b).¹ *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994)

¹It appears that appellant's notice of appeal may have been delivered to a prison official for mailing on September 15, 2020. See NRAP 4(d) (providing that when "an inmate confined in an institution files a notice of appeal in either a civil or criminal case, the notice is timely if it is delivered to a prison official for mailing on or before the last day for filing."). However, even considering this September date, appellant's notice of appeal is still significantly untimely.

(explaining that an untimely appeal fails to vest jurisdiction in this court).

Accordingly, this court

ORDERS this appeal DISMISSED.


_____, J.
Parraguirre


_____, J.
Stiglich


_____, J.
Silver

cc: Hon. Michelle Leavitt, District Judge
Edward Everett Brown
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk