

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAMARR ROWELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 37637

FILED

JUN 11 2001

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

ORDER DISMISSING APPEAL AND LIMITED REMAND
FOR CORRECTION OF DISTRICT COURT ERROR

This is a proper person appeal from a judgment of conviction in district court case number C152233. Our review indicates that the district court entered the judgment of conviction on April 26, 1999. Appellant did not file the notice of appeal, however, until March 22, 2001, 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.¹ Therefore, we conclude that we lack jurisdiction to consider this appeal.

In reviewing this appeal, this court observed that the clerk of the district court filed appellant's March 22, 2001 notice of appeal in the wrong district court case. The documents before this court indicate that the district court filed appellant's notice of appeal in district court case number C158223. However, the district court case number designated on the March 22, 2001 notice of appeal was district court case number C152233. Therefore, we direct the clerk of

¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

the district court to correct this error and file appellant's March 22, 2001 notice of appeal in district court case number C152233.

Accordingly, we

ORDER this appeal DISMISSED and DIRECT the clerk of the district court to correct the error as instructed above.

Young, J.
Young

Leavitt, J.
Leavitt

Becker, J.
Becker

cc: Hon. Jack Lehman, District Judge
Attorney General
Clark County District Attorney
Clark County Public Defender
Clark County Clerk