

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES RUTHERFORD,

No. 37869

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

JUL 06 2001

BY *J. A. Bloom*
JANETTE M. BLOOM
CLERK OF THE COURT
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of theft. The judgment of conviction was entered by the district court on April 6, 2001. The notice of appeal was filed on May 8, 2001, after the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.¹

On May 22, 2001, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Counsel for appellant has not responded to our order. Accordingly, we conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.²

Young

Young J.

Leavitt

Leavitt J.

Becker

Becker J.

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

²We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

cc: Hon. Steven R. Kosach, District Judge
Attorney General
Washoe County District Attorney
Robert Bruce Lindsay
Washoe County Clerk