

IN THE SUPREME COURT OF THE STATE OF NEVADA


ANDRE A. BRELAND,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85985

FILED

FILED

FEB 03 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se notice of appeal from a district court order denying a motion to correct illegal sentence and supporting memorandum. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal was untimely filed. The order denying a motion to correct illegal sentence and supporting memorandum was entered on November 16, 2022. However, the notice of appeal was not filed until January 18, 2023, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). Because an untimely notice of appeal fails to vest jurisdiction in this court, *see Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), this court lacks jurisdiction to consider this appeal and

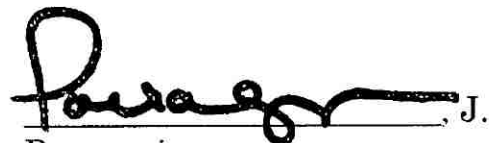
ORDERS this appeal DISMISSED.



_____, J.
Herndon



_____, J.
Lee



_____, J.
Parraguirre

cc: Hon. Kathleen E. Delaney, District Judge
Andre A. Breland
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk