

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,

No. 37954

Appellant,

FILED

vs.

JUL 06 2001

CRISTOFER VILLATORO-VILLALOBO,

Respondent.

AMITIA M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL


This is an appeal from an order of the district court granting respondent's motion to suppress evidence. NRS 177.015(2) authorizes such an appeal, but requires that appellant file a notice of appeal in the district court within two (2) judicial days of the district court's ruling. Additionally, appellant must file a separate notice of appeal in this court within five (5) days after the ruling by the district court.¹

Our preliminary review of this appeal revealed a potential jurisdictional defect. Specifically, appellant filed a timely notice of appeal in the district court, but a separate notice of appeal was not filed in this court. On June 6, 2001, this court ordered appellant to show cause why this appeal should not be dismissed. On June 18, 2001, appellant filed a response in which appellant concedes that a

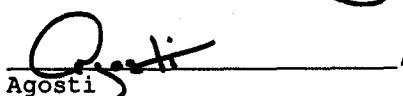
¹NRS 177.015(2); see also State v. Loyle, 101 Nev. 65, 66-67, 692 P.2d 516, 517 (1985).

separate notice of appeal was not filed in this court.² We therefore conclude that we lack jurisdiction to entertain this appeal and we


ORDER this appeal DISMISSED.



Shearing J.



Agosti J.



Rose J.

cc: Hon. J. Michael Memeo, District Judge
Attorney General
Elko County District Attorney
Elko County Public Defender
Elko County Clerk

²On June 18, 2001, appellant filed a separate notice of appeal in this court, but that notice of appeal is untimely, as it was filed more than five (5) days after the district court's order.