

IN THE SUPREME COURT OF THE STATE OF NEVADA

GARRY SAXEN,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 38230

**FILED**

AUG 24 2001

BY *J. B. Blythe*  
JANET M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion to correct an illegal sentence. Our review of this appeal indicates that the district court entered the order on June 7, 2001. Appellant did not file the notice of appeal, however, until July 23, 2001, 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.<sup>1</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

*Shearing*  
\_\_\_\_\_  
Shearing J.

*Agosti*  
\_\_\_\_\_  
Agosti J.

*Rose*  
\_\_\_\_\_  
Rose J.

cc: Hon. Steven R. Kosach, District Judge  
Attorney General  
Washoe County District Attorney  
Garry Saxen  
Washoe County Clerk

<sup>1</sup>See Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996);  
Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).