

IN THE SUPREME COURT OF THE STATE OF NEVADA

DRAKETONIAL MICHEAL MACON,

No. 38287

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

SEP 28 2001

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

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of conspiracy to commit robbery and three counts of burglary. The judgment of conviction was entered by the district court on June 21, 2001. The notice of appeal was filed on August 3, 2001, after 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, on August 23, 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 failed to respond to our order. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

*[Signature]* J.  
Young

*[Signature]* J.  
Agosti

*[Signature]* J.  
Leavitt

cc: Hon. John S. McGroarty, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Paul E. Wommer  
Clark County Clerk

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