

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL DIGGS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 38685

FILED

NOV 30 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a judgment of conviction. Our review of this appeal indicates that the district court entered the judgment of conviction on July 10, 2001. Appellant did not file the notice of appeal, however, until October 22, 2001, well 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.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Young J.

Young
Agosti J.

Agosti
Leavitt J.

Leavitt

cc: Hon. Valorie Vega, District Judge
Attorney General/Carson City
Clark County District Attorney
Clark County Public Defender
Clark County Clerk

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

01-20030