

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT FRANKLIN BROS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39062

FILED

MAR 08 2002

ORDER DISMISSING APPEAL

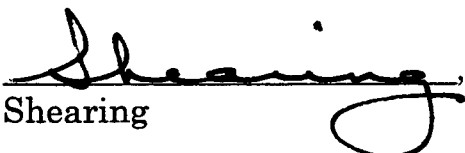
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of second offense burglary. The judgment was entered by the district court on November 28, 2001. The notice of appeal was filed on January 4, 2002, after the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.¹ Accordingly, on February 5, 2002, this court ordered appellant's counsel to show cause why this appeal should not be dismissed. On February 19, 2002, counsel filed a response in which counsel concedes


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

that the notice of appeal was untimely filed. We therefore conclude that we lack jurisdiction and we

ORDER this appeal DISMISSED.²


Shearing, J.


Rose, J.


Becker, J.

cc: Hon. Valorie Vega, District Judge
Attorney General/Carson City
Clark County District Attorney
James L. Buchanan II
Clark County Clerk

²The clerk of this court shall return, unfiled, the fast track statement and appendix received on February 7, 2002.