

IN THE SUPREME COURT OF THE STATE OF NEVADA

JENNIFER MCELROY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40352

FILED

JAN 13 2003

ORDER DISMISSING APPEAL

W. STEVE BLOOM
CLERK OF SUPREME COURT
J. Richard
CLERK OF SUPREME COURT


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of robbery. The judgment was entered by the district court on August 23, 2002. The notice of appeal was filed on October 14, 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

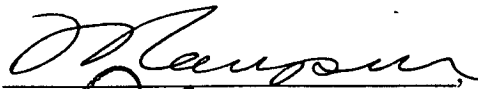
Accordingly, on October 29, 2002, this court ordered appellant's counsel to show cause why this appeal should not be dismissed. Counsel filed a response on November 15, 2002, and a supplemental response on December 16, 2002. In the supplemental response, counsel

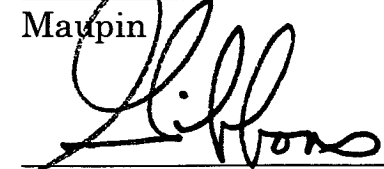
¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

concedes that the notice of appeal was untimely filed. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. James W. Hardesty, District Judge
Jack A. Alian
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk