

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BALDUS PHILLIPS, III,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40954

FILED


APR 28 2003

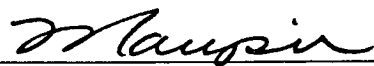
ORDER DISMISSING APPEAL

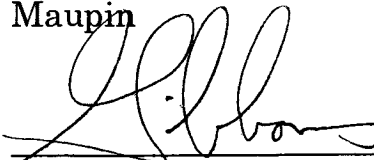
JANETIE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

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 September 13, 2002. Appellant did not file the notice of appeal, however, until January 27, 2003, 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.²


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

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

²We have considered all proper person documents filed or received in this matter, and we conclude that no relief requested therein is warranted.

cc: Hon. Brent T. Adams, District Judge
Washoe County Public Defender
David Baldus Phillips, III
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk