

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON M. MARCHESE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 41727

FILED

OCT 27 2003

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

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea. The judgment of conviction was filed on May 9, 2003. The notice of appeal was filed on July 7, 2003, well after the thirty-day appeal period prescribed by NRAP 4(b). An untimely notice of appeal fails to vest jurisdiction in this court.¹

On September 15, 2003, this court ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. On October 9, 2003, counsel file a response in which counsel concedes that the notice of appeal was untimely. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

Rose J.
Rose

Leavitt J.
Leavitt

Maupin J.
Maupin

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

cc: Hon. Kathy A. Hardcastle, District Judge
Kocka & Bolton
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk