

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD C. IDEN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 42544

**FILED**

JAN 27 2004

ORDER DISMISSING APPEAL

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

This is an appeal from an order of the district court revoking appellant's probation. This court's preliminary review of this appeal reveals that the district court entered the judgment of conviction on August 9, 2002. Appellant did not file the notice of appeal, however, until December 23, 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.<sup>1</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

*Becker*  
\_\_\_\_\_, J.  
Becker

*Agosti*  
\_\_\_\_\_, J.  
Agosti

*Gibbons*  
\_\_\_\_\_, J.  
Gibbons

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

cc: Hon. James W. Hardesty, District Judge  
Washoe County Public Defender  
Attorney General Brian Sandoval/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk