

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOEY LEE STRUSSENBERG,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 42592

FILED

JAN 27 2004

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order of the district court denying appellant's motion to correct an illegal sentence. The district court entered the order denying appellant's motion on March 25, 2003. Appellant did not file the notice of appeal, however, until December 29, 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.<sup>2</sup>

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

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

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

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

<sup>2</sup>We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

cc: Hon. Joseph T. Bonaventure, District Judge  
Joey Lee Strussenberg  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk