

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARL LAMAR WILLIAMS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 42636

FILED

MAR 04 2004

ORDER DISMISSING APPEAL

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. [Signature]*
CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a jury trial, of one count of conspiracy to commit robbery, one count of possession of a stolen vehicle, one count of burglary while in possession of a firearm, two counts of second degree kidnapping with the use of a deadly weapon, one count of robbery with the use of a deadly weapon, and one count of failing to stop on the signal of a police officer. Our preliminary review of the documents before this court revealed that the notice of appeal may have been filed one day after the thirty-day appeal period and therefore untimely.¹

On January 23, 2004, this court ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. Counsel filed a response on February 17, 2004. In the response, counsel informs this court that the instant judgment of conviction addressed some of the charges upon which appellant was indicted, but not all of them. Appellant informs this court that the district

¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994) (an untimely notice of appeal fails to vest jurisdiction in this court).

court intends to enter an amended judgment of conviction containing the convictions for all the counts.

Accordingly, we order this appeal dismissed without prejudice to appellant's right to file and perfect a timely appeal following the district court's entry of a final judgment of conviction regarding all of the charges against appellant.

It is so ORDERED.

Becker _____, J.
Becker

Agosti _____, J.
Agosti

Gibbons _____, J.
Gibbons

cc: Hon. John S. McGroarty, District Judge
Clark County Public Defender
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk