

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY JOHN LOPEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 42808

FILED

MAR 11 2004

[Signature]
NEVADA SUPREME COURT
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Our review of this appeal indicates that the district court entered its order denying appellant's petition on October 2, 2003. The district court served notice of entry of that order on appellant on October 20, 2003. Appellant did not file the notice of appeal, however, until February 10, 2004, well after the expiration of the thirty-day appeal period prescribed by NRS 34.575. 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.

Becker
_____, J.
Becker

Agosti
_____, J.
Agosti

[Signature]
_____, J.
Gibbons

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

cc: Hon. Donald M. Mosley, District Judge
Gregory John Lopez
Sciscento & Montgomery
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk