

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED DONALDSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60753

FILED

JUN 22 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge. The judgment of conviction was filed on March 16, 2012. To be timely, the notice of appeal had to be filed or delivered to a prison official for mailing on or before April 16, 2012. See NRAP 4(b); Kellogg v. Journal Communications, 108 Nev. 474, 477, 835 P.2d 12, 13 (1992). The notice of appeal was filed in the district court on April 26, 2012. Because it appeared that this appeal was not timely filed, on May 9, 2012, we directed appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction and to provide this court with any documentation to establish when appellant delivered the notice of appeal to a prison official for mailing. In response, counsel informs this court that the Law Library Supervisor at the Northern Nevada Correctional Center has informed him that appellant sent a correspondence to the Second Judicial District Court on April 23, 2012, but did not have the correspondence placed in the appeal log. Appellant has failed to demonstrate that he filed the notice of appeal or delivered the notice of

appeal to a prison official for mailing within the relevant appeal period.
Therefore, we

ORDER this appeal DISMISSED.

Saitta, J.
Saitta

Pickering, J.
Pickering

Hardesty, J.
Hardesty

cc: Hon. Patrick Flanagan, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk
Alfred Donaldson