

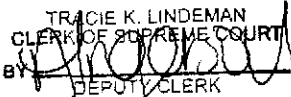
IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS WAYNE HOWARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64745

FILED

MAR 06 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

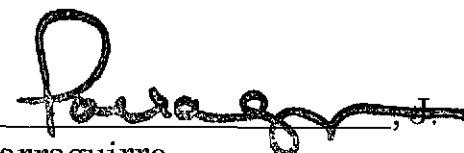
ORDER DISMISSING APPEAL


This is an appeal from a judgment of conviction, pursuant to a no-contest plea, of ex-felon in possession of an electronic stun device and unlawful transport of a controlled substance. Third Judicial District Court, Lyon County; Leon Aberasturi, Judge.

The judgment of conviction was filed on November 21, 2013. Because the notice of appeal was filed in the district court on December 31, 2013, eight days beyond the relevant appeal period, *see* NRAP 4(b)(1)(A), and appellant has failed to demonstrate that he delivered the notice of appeal to a prison official for mailing on or before the expiration of the appeal period, *see* NRAP 4(d), we conclude that the notice of appeal was not timely filed, *see also Kellogg v. Journal Communications*, 108 Nev. 474, 477, 835 P.2d 12, 13 (1992). Therefore, we lack jurisdiction, *see Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), and we

ORDER this appeal DISMISSED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Leon Aberasturi, District Judge
Dennis Wayne Howard
Pederson & Kalter, P.C./Yerington
Attorney General/Carson City
Lyon County District Attorney
Third District Court Clerk