

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL NICHOLAS EGGERS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86342

FILED

MAY 05 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

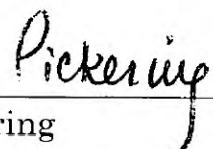
ORDER DISMISSING APPEAL

This is a direct appeal from a judgment of conviction. Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

Because it appeared that the notice of appeal had been untimely filed, this court entered an order directing appellant to demonstrate this court's jurisdiction. Appellant has responded and concedes that the notice of appeal was miscalendared and was in fact untimely filed. This court is without authority to extend the time to file a notice of appeal except as provided in Rule 4(c). NRAP 26(b)(1). "[A]n untimely notice of appeal fails to vest jurisdiction in this court." *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994), *abrogated on other grounds by Rippo v. State*, 134 Nev. 411, 423 P.3d 1084 (2018). Accordingly, this court lacks jurisdiction and

ORDERS this appeal DISMISSED.


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Bell

cc: Hon. Jim C. Shirley, District Judge
Amens Law, LLC
Attorney General/Carson City
Attorney General/Ely
Pershing County District Attorney
Clerk of the Court/Court Administrator