

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT HOLMES, III,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58625

FILED

JUN 23 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER TO SHOW CAUSE AND ORDER SUSPENDING BRIEFING

This is an appeal from a district court order denying a motion for return of seized property. This appeal is subject to the provisions of Nevada Rules of Appellate Procedure 3C.

Our initial review of this appeal reveals a jurisdictional defect. Specifically, the notice of appeal appears to be untimely. The notice of appeal was filed on June 16, 2011, well after the expiration of the 30-day appeal period prescribed by NRAP 4(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). Accordingly, appellant's counsel, James J. Ruggeroli, shall have 20 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. The deadlines for filing documents pursuant to NRAP 3C are suspended until further order of this court.

It is so ORDERED.

Drygas, C.J.

cc: James J. Ruggeroli
Robert Holmes, III
Attorney General/Carson City
Clark County District Attorney