

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID MICHAEL BANNING,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85036

**FILED**

AUG 08 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY [Signature]  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is a pro se notice of appeal from a district court order denying a motion for amendment to the judgment of conviction. This court's review of this appeal reveals a jurisdictional defect. Specifically, the district court entered the order denying the motion on May 27, 2022. Appellant did not file the notice of appeal, however, until July 13, 2022, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (explaining that an untimely notice of appeal fails to vest jurisdiction in this court). Accordingly, this court

ORDERS this appeal DISMISSED.

[Signature], J.  
Silver

[Signature], J.  
Cadish

[Signature], J.  
Pickering

cc: Chief Judge, Eighth Judicial District Court  
Eighth Judicial District Court, Department 1  
David Michael Banning  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk