

IN THE SUPREME COURT OF THE STATE OF NEVADA

GERALD LEE WHATLEY, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85077

FILED

AUG 03 2022

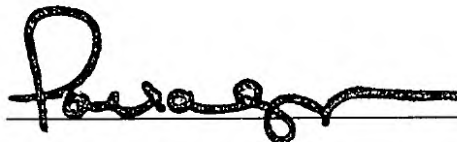
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER TO SHOW CAUSE
AND SUSPENDING BRIEFING*

This is an appeal from a judgment of conviction. This court's initial review of this appeal reveals a potential jurisdictional defect. Specifically, the notice of appeal appears to be untimely. The judgment of conviction was entered on June 1, 2022. However, the notice of appeal was not filed until July 22, 2022, well after the expiration of the 30-day appeal period prescribed by NRAP 4(b). "[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 shall have 21 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondent shall have 14 days from the filing of any response to file any reply.

The deadlines for filing documents and the briefing of this appeal are suspended until further order of this court.

It is so ORDERED.

, C.J.

cc: Leslie A. Park
Attorney General/Carson City
Clark County District Attorney
Gerald Lee Whatley, Jr.