

IN THE UTAH COURT OF APPEALS

-----ooOoo-----

State of Utah,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Plaintiff and Appellee,)	
)	Case No. 20050997-CA
v.)	F I L E D
)	(December 22, 2005)
James Dean Wall,)	
)	2005 UT App 557
Defendant and Appellant.)	

Second District, Farmington Department, 031700149
The Honorable Thomas L. Kay

Attorneys: James Dean Wall, Layton, Appellant Pro Se
Mark L. Shurtleff and Laura B. Dupaix, Salt Lake
City, for Appellee

Before Judges Davis, McHugh, and Orme.

PER CURIAM:

James Dean Wall appeals from his conviction of communications fraud and contracting without a license. This is before the court on its own motion for summary disposition based on lack of jurisdiction.

Wall was convicted in 2003. His sentence was entered in December 2003. Wall filed a motion for new trial, which, for the purposes of this appeal, will be considered timely. In February 2004, the trial court denied his motion in a signed minute entry. The minute entry was a final order for purposes of appeal. See Swenson Assocs. Architects, P.C. v. State, 889 P.2d 415, 417 (Utah 1994).

Wall filed his notice of appeal in October 2005. A notice of appeal must be filed within thirty days after the order or judgment appealed from. See Utah R. App. P. 4(a). The thirty-day period is jurisdictional. See State v. Bowers, 2002 UT 100, ¶5, 57 P.3d 1065. Because Wall did not file his notice of

appeal within the thirty-day period, this court lacks jurisdiction over this appeal and must dismiss it. See id.

Accordingly, this appeal is dismissed.

James Z. Davis, Judge

Carolyn B. McHugh, Judge

Gregory K. Orme, Judge