

IN THE UTAH COURT OF APPEALS

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State of Utah,)	MEMORANDUM DECISION	
)	(Not For Official Publication)	
Plaintiff and Appellee,)		
)	Case No. 20070887-CA	
v.)		
)	F I L E D	
Roland Thompson,)	(March 13, 2008)	
)		
Defendant and Appellant.)	<table border="1"><tr><td>2008 UT App 78</td></tr></table>	2008 UT App 78
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Fourth District, Provo Department, 051400870
The Honorable James R. Taylor

Attorneys: Margaret Prim Lindsay, Orem, for Appellant
Mark L. Shurtleff and Kris C. Leonard, Salt Lake
City, for Appellee

Before Judges Greenwood, Thorne, and Billings.

PER CURIAM:

Roland Thompson seeks to appeal from his sentence after pleading guilty to forgery. This is before the court on its own motion for summary disposition based on lack of jurisdiction due to an untimely notice of appeal.

Pursuant to rule 4 of the Utah Rules of Appellate Procedure, a notice of appeal must be filed within thirty days after the "entry of the judgment or order appealed from." Utah R. App. P. 4(a). In a criminal case, it is the sentence that is the final order. See State v. Bowers, 2002 UT 100, ¶ 4, 57 P.3d 1065. The thirty-day period for filing a notice of appeal is jurisdictional. See id. ¶ 5.

Thompson's sentence was entered on September 20, 2007. He filed his notice of appeal on October 23, 2007, thirty-one days after the entry of judgment. Accordingly, his notice of appeal

was untimely. As a result, this court lacks jurisdiction over his appeal and must dismiss it. See id.

Dismissed.

Pamela T. Greenwood,
Presiding Judge

William A. Thorne Jr.,
Associate Presiding Judge

Judith M. Billings, Judge