

IN THE SUPREME COURT OF THE STATE OF NEVADA

ATIBA M. MOORE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43002

FILED

APR 23 2004

ORDER DISMISSING APPEAL


JANETTE M. GLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


This is a proper person appeal from a decision of the district court to deny a motion to set aside a verdict. This court's review of this appeal reveals a jurisdictional defect. The denial of a motion to set aside a verdict is not independently appealable. Rather, the denial of a motion to set aside a verdict is an intermediate order, and the denial may be raised as an issue in a direct appeal from a judgment of conviction.¹ In the instant case, appellant filed his notice of appeal prior to sentencing and entry of a written judgment of conviction. Thus, this court lacks jurisdiction to consider this appeal. Appellant may file a notice of appeal from the oral pronouncement at sentencing; a notice of appeal must be


¹See NRS 177.045.

filed no later than thirty days after entry of a written judgment of conviction.² Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Kathy A. Hardcastle, Chief District Judge
Atiba M. Moore
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
Eighth Judicial District Court, Department 11

²See NRAP 4(b).