## IN THE SUPREME COURT OF THE STATE OF NEVADA

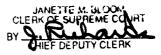
ATIBA M. MOORE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43002

FLED

APR 23 2004

## ORDER DISMISSING APPEAL



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. 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

<sup>1</sup>See NRS 177.045.

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

Dallas.

ORDER this appeal DISMISSED.

Olora -	,	J.
Becker		
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

<sup>2</sup>See NRAP 4(b).