

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43405

FILED

JUL 27 2004

ORDER DISMISSING APPEAL

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

This is a proper person appeal from a purported order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

On June 16, 2004, this court received a proper person motion to dismiss the instant appeal. Appellant acknowledged that the appeal is premature because the district court granted him leave to file a habeas corpus petition to be heard in July 2004. Good cause appearing, we direct the clerk of this court to file appellant's motion to dismiss the appeal. We grant appellant's motion, and we

ORDER this appeal DISMISSED.

Rose
_____, J.
Rose

Maupin
_____, J.
Maupin

Douglas
_____, J.
Douglas

cc: Hon. Donald M. Mosley, District Judge
Felton L. Matthews Jr.
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk