

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP JACKSON LYONS,
Appellant,
vs.
WARDEN, LOVELOCK
CORRECTIONAL CENTER, CRAIG
FARWELL,
Respondent.

No. 44045

FILED

JUN 14 2005

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

ORDER DISMISSING APPEAL


This is a proper person appeal from a decision of the district court denying a document labeled, "First Amendment Writ." Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

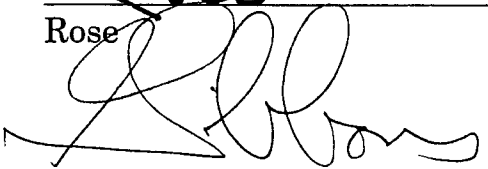
This court's initial review of this appeal indicated that the district court had not entered a written order denying the writ petition.¹ Therefore, on October 22, 2004, March 8, 2005, and May 3, 2005, this court entered orders directing the district court to either enter a written order resolving appellant's writ petition of August 18, 2004, or inform this court whether it was reconsidering its decision. On May 18, 2005, this court received and filed a response from Delois Williams, the Judicial Executive Assistance to Judge Gates. This court has been informed that Judge Gates is reconsidering appellant's August 18, 2004 petition.

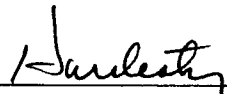
¹The criminal court minutes indicated that the district court orally denied the writ petition on August 30, 2004.

Because the district court is reconsidering its decision, the prior oral decision of the district court was not final.² Thus, this court lacks jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.³


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Lee A. Gates, District Judge
Phillip Jackson Lyons
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

²See NRS 177.015(3).

³Because the district court has informed this court that it is reconsidering its decision, we vacate that portion of our order directing the district court to inform this court whether the State had failed to prepare a timely written order for the district court's consideration. This order constitutes our final disposition of this appeal. Any subsequent appeal shall be docketed as a new matter.