

IN THE SUPREME COURT OF THE STATE OF NEVADA

LESLIE BROWN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45583

FILED

AUG 16 2005

ORDER DISMISSING APPEAL


WALTER H. M. FLOOM
CLERK OF THE SUPREME COURT
BY *J. Richards*
DEPUTY CLERK

This is a proper person appeal from a purported decision of the district court denying appellant's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

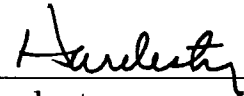
This court's review of this appeal reveals a jurisdictional defect. The district court had not made a decision, oral or written, on appellant's petition at the time she filed her notice of appeal. Rather, the documents before this court indicate that the district court appointed counsel to assist appellant in the post-conviction proceedings. We conclude that appellant's notice of appeal was premature, and we dismiss this appeal without prejudice to appellant's right to file a timely appeal from a final, written order denying his petition.¹ Accordingly, we conclude

¹See NRS 34.575(1).

that we lack jurisdiction to consider this appeal, and we
ORDER this appeal DISMISSED.


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Lee A. Gates, District Judge
Leslie Brown
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Cristina Hinds, Esq.
Clark County Clerk