

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARVIN CRANEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46052

FILED

NOV 14 2005

ORDER DISMISSING APPEAL

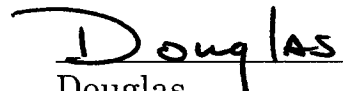
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Rinaldi*
CHIEF DEPUTY CLERK

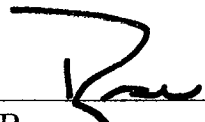
This is a proper person appeal from a purported decision of the district court denying appellant's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

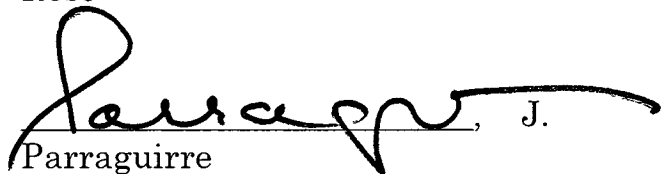
This court's review of this appeal reveals a jurisdictional defect. The district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. Although the district court subsequently denied the petition orally, no written order has yet been entered. 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 that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.²

 _____, J.
Douglas

 _____, J.
Rose

 _____, J.
Parraguirre

cc: Honorable Jackie Glass, District Judge
Clark County Public Defender Philip J. Kohn
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
Melvin Craney

¹See NRS 34.575(1).

²On October 13, 2005, the Clark County Public Defender filed a motion to withdraw as appellate counsel. Cause appearing the motion is granted.