

IN THE SUPREME COURT OF THE STATE OF NEVADA

JIMMY CICCONE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47235

FILED

JUL 13 2006

ORDER DISMISSING APPEAL

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

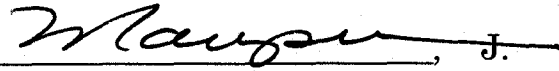
This is a proper person appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge.

On April 28, 2006, appellant filed a proper person notice of appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. However, it was not clear from the documents before this court whether the district court had in fact denied the petition in its entirety. The district court minutes of April 24, 2006, state that the district court denied the petition "on all grounds." The minutes for that date further state, however, that a limited evidentiary hearing is to be scheduled on the issue of whether appellant was deprived of a direct appeal. It appears that the evidentiary hearing has been scheduled for July 27, 2006.


Because it was not clear if the district court had finally resolved the petition, this court directed the State to inform this court whether the district court has in fact denied petition in its entirety. The State has filed a response informing this court that the district court had not entered a final decision on the petition. We conclude appellant's

notice of appeal was premature, and we lack jurisdiction over this appeal.
Accordingly, we

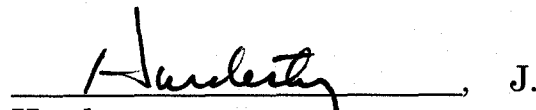
ORDER this appeal DISMISSED.

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

cc: Hon. Joseph T. Bonaventure, District Judge
Jimmy Ciccone
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk