

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN GARCIA SIERRA, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 47287

**FILED**

**SEP 20 2006**

ORDER DISMISSING APPEAL

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

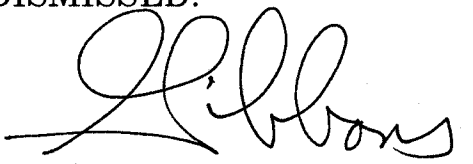
This is a proper person appeal from a decision of the district court purportedly denying appellant's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.


This appeal was docketed in this court on May 12, 2006. Because the district court had not yet entered a written order resolving appellant's petition, on June 2, 2006, this court entered an order directing the district court to enter a written judgment or order or inform this court that it was reconsidering its decision. On June 4, 2006, the district court entered an "Order Denying Defendant's Request for Appeal Evidentiary Hearing." Because it appeared that the district court conducted and scheduled additional proceedings in this matter since the entry of the June 4, 2006, order, on August 17, 2006, we ordered the State to file a response informing this court of the status of appellant's petition. The State has informed this court that claims 2 and 7 remain pending and the district court has scheduled an evidentiary hearing for those claims.

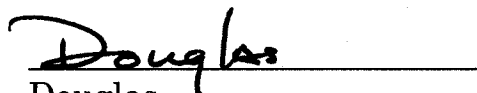
Because the district court has not entered a final order resolving appellant's petition, we conclude that appellant's notice of appeal was premature, and we dismiss this appeal without prejudice to

appellant's right to file a timely appeal from a final, written order denying his petition.<sup>1</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Valorie Vega, District Judge  
Steven Garcia Sierra Jr.  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

---

<sup>1</sup>See NRAP 4(b)(1); NRS 34.575.