

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN LEE NEWBERG,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47603

FILED

JUL 28 2006

ANNETTE M. BLOOM
CLERK OF THE SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a purported order of the district court denying a petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Michael A. Cherry, 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. We conclude that appellant's notice of appeal was premature, and we dismiss this appeal. Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Maupin, J.
Maupin

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

cc: Hon. Michael A. Cherry, District Judge
Steven Lee Newberg
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk