

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN CHARLES FRITZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47671

FILED

SEP 11 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 purported order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Stewart L. Bell, 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.¹ 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

¹In fact, it appears that the district court has scheduled an evidentiary hearing for September 7, 2006.


final, written order denying his petition.² Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.³



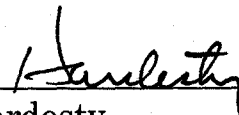
J.

Maupin



J.

Gibbons



J.

Hardesty

cc: Hon. Stewart L. Bell, District Judge
Kevin Charles Fritz
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

²See NRS 34.575(1).

³We have received all proper person documents submitted in this matter, and we conclude that no relief is warranted.