

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD JOHN ZIMBELMAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47768

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 purported order of the district court denying a petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Michelle Leavitt, 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 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.

Becker _____, J.
Becker

Hardesty _____, J.
Hardesty

Parraguirre _____, J.
Parraguirre

¹See NRS 34.575(1).

cc: Hon. Michelle Leavitt, District Judge
Edward John Zimbelman
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk