

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAWRENCE SCHWIGER, AKA
LAWRENCE E. SCHWIGER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47944

FILED

SEP 26 2006

ORDER DISMISSING APPEAL

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
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; Nancy M. Saitta, 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

cc: Hon. Nancy M. Saitta, District Judge
Lawrence Schwiger
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

¹See NRS 34.575(1).