IN THE SUPREME COURT OF THE STATE OF NEVADA

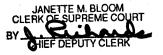
JIMMIE DAVIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48100

FILED

OCT 19 2006

ORDER DISMISSING APPEAL



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; Donald M. Mosley, Judge.

On September 19, 2006, appellant filed a proper person notice of appeal in the district court from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. 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

SUPREME COURT OF NEVADA

(O) 1947A

his petition.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Beekle, J.

Hardesty, J

Parraguirre, J

cc: Hon. Donald M. Mosley, District Judge Jimmie Davis Attorney General George Chanos/Carson City Clark County District Attorney David J. Roger Clark County Clerk

¹See NRS 34.575(1).