

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

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; 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

his petition.<sup>1</sup> 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. Donald M. Mosley, District Judge  
Jimmie Davis  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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<sup>1</sup>See NRS 34.575(1).