

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELEANOR RAMBANO SARMIENTO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

ELEANOR RAMBANO SARMIENTO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 48258

No. 48259

**FILED**

JAN 11 2007

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. B. Bland*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEALS

These are proper person appeals from purported decisions of the district court entered on October 10, 2006, in two district court cases— District Court Case Numbers CR04-1203 and CR04-0965. Second Judicial District Court, Washoe County; Robert H. Perry, Judge. We elect to consolidate these appeals for disposition.<sup>1</sup>

On October 13, 2006, appellant filed proper person notices of appeal in District Court Case Numbers CR04-1203 and CR04-0965. Appellant stated that she was appealing from the October 10, 2006 order entered in the district court. However, it was unclear from the documents before this court whether the district court made any decisions, oral or written, on October 10, 2006.

Because the State had not filed a motion to dismiss the appeal based upon a jurisdictional defect on the face of the notice of appeal, this

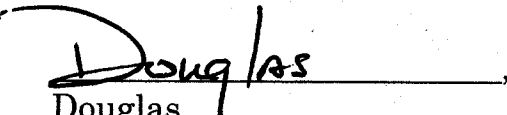
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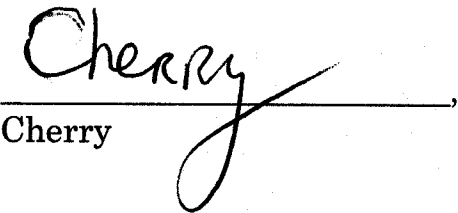
<sup>1</sup>See NRAP 3(b).

court directed the State, as the respondent, to file a response informing this court whether the district court had made any decisions, oral or written, in the above-referenced district court cases on October 10, 2006. The State filed a response, informing this court that the district court had not made any decision, oral or written, on October 10, 2006. Appellant's notice of appeal was premature, and appellant may file a timely appeal from a final, written order denying her petitions.<sup>2</sup> Accordingly, we conclude that we lack jurisdiction to consider these appeals, and we

ORDER these appeals DISMISSED.

  
Gibbons J.

  
Douglas J.

  
Cherry J.

cc: Hon. Robert H. Perry, District Judge  
Eleanor Rambano Sarmiento  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk

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<sup>2</sup>See NRS 34.575(1).