

IN THE SUPREME COURT OF THE STATE OF NEVADA

HUGO ERNESTO ORTEGA-AGUILAR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48268

FILED

NOV 28 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 decision of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

On October 16, 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. However, the district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. Thus, appellant's notice of appeal was premature. Appellant may 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. Jackie Glass, District Judge
Hugo Ernesto Ortega-Aguilar
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

¹See NRS 34.575(1).