

IN THE SUPREME COURT OF THE STATE OF NEVADA

GROVER BRITT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48344

FILED

APR 09 2007

ORDER DISMISSING APPEAL

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

This is purportedly an appeal from an order of the district court denying a post-conviction motion to withdraw a guilty plea. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

On October 3, 2006, the district court entered an order containing findings of fact and conclusions of law and stating that the petition for post-conviction relief is denied. Appellant filed a proper person notice of appeal from the district court's order on October 31, 2006.

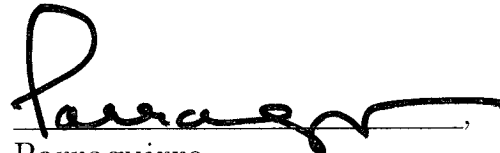
From our review of the record on appeal, it appeared that the district court's decision was not a final appealable determination. According to the district court minutes of September 18, 2006, the district court made a finding that appellant's counsel was ineffective for failing to file an appeal.¹ The district court's order made no mention of this claim and there was therefore one issue pending and unresolved when appellant filed his notice of appeal. This court prefers not to proceed in such a piecemeal fashion.² Accordingly, on January 29, 2007, this court ordered


¹See Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).


²See Franklin v. State, 85 Nev. 401, 455 P.2d 919 (1969) (holding that this court is reluctant to engage in piecemeal review of criminal
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appellant's counsel to show cause why this appeal should not be dismissed. Counsel has not responded to our order. We conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED without prejudice to appellant's right to timely appeal from any future final appealable determination of the district court.

 J.
Parraguirre

 J.
Hardesty

 J.
Saitta

cc: Hon. Lee A. Gates, District Judge
Law Offices of Cristina Hinds, Esq.
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk
Grover Britt

... continued

proceedings, except in narrowly defined circumstances, because of the disruptive effect on the orderly processing of the case).