## IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL THOMAS DAVITT A/K/A MICHAEL T. DAVITT, Appellant,

vs.

THE STATE OF NEVADA,

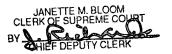
Respondent.

No. 48821

FILED

MAR 09 2007

## ORDER DISMISSING APPEAL



This action was initiated by a proper person notice of appeal. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

Appellant does not designate any decision of the district court. Rather, appellant complains that he may not file a post-conviction petition for a writ of habeas corpus because he entered a guilty plea. Appellant is incorrect; a criminal defendant may file a post-conviction petition for a writ of habeas corpus challenging a judgment of conviction based upon a guilty plea. Having failed to designate an appealable order, we

ORDER this appeal DISMISSED.

<u>,</u> J.

 $\widetilde{ ext{Gibbons}}$ 

Douglas

Cherry

J.

J.

 $^{1}\underline{\text{See}}$  NRS 34.810(1)(a).

cc: Hon. Donald M. Mosley, District Judge
Michael Thomas Davitt
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

(O) 1947A