

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOEY LEE MARKHAM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 49013

FILED

APR 23 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *JMB*
DEPUTY CLERK

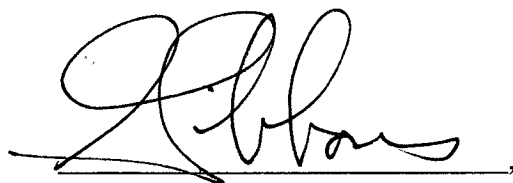
ORDER DISMISSING APPEAL

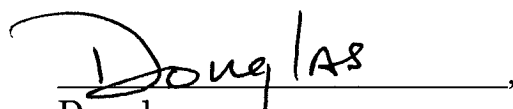
This is a proper person appeal from a purported decision of the district court denying a motion to vacate an illegal sentence. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

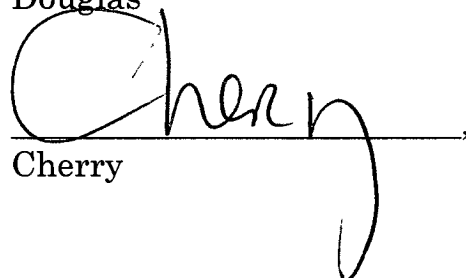
On February 27, 2007, appellant filed a proper person notice of appeal in the district court from a purported decision of the district court denying a motion to vacate an illegal sentence. However, the district court had not made a decision, oral or written, on appellant's motion at the time he filed 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 motion.¹ Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Kenneth C. Cory, District Judge
Joey Lee Markham
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

¹See NRAP 4(b).