

IN THE SUPREME COURT OF THE STATE OF NEVADA

AARON THOMAS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 49090

**FILED**

JUN 04 2007

ORDER DISMISSING APPEAL

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

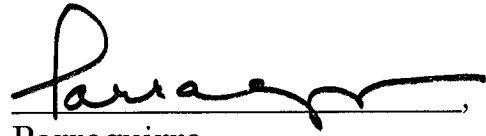
This is an appeal from a purported order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

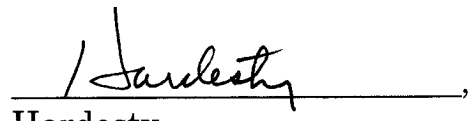
On February 5, 2007, the district court conducted a hearing on appellant's petition. At the conclusion of the hearing, the district court announced that it was taking one of the issues raised under advisement. On March 12, 2007, appellant filed a notice of appeal. From our review of the record on appeal, it appeared that the district court's decision was not a final appealable determination because the district court ordered further proceedings in regard to the petition. Accordingly, on April 24, 2007, this court ordered appellant's counsel to show cause why this appeal should not be dismissed. On May 21, 2007, counsel responded to this court's order. In the response, counsel for appellant confirms that there is a claim raised in the petition which is pending before the district court and requests that this appeal be dismissed as premature.

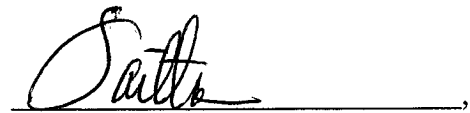
It therefore appears from the documents before this court that the district court has not yet resolved all the claims raised in appellant's

post-conviction petition for a writ of habeas corpus and, thus, this appeal is premature. This court prefers not to proceed in a piecemeal fashion.<sup>1</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

 J.  
Parraguirre

 J.  
Hardesty

 J.  
Saitta

cc: Hon. Lee A. Gates, District Judge  
Christopher R. Oram  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk  
Aaron Thomas

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<sup>1</sup>See Franklin v. State, 85 Nev. 401, 455 P.2d 919 (1969) (holding that this court is reluctant to engage in piecemeal review of criminal proceedings, except in narrowly defined circumstances, because of the disruptive effect on the orderly processing of the case).