

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIE LAMAR HARTWELL A/K/A
WILLIE HARTWELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 49119

FILED

JUN 12 2007

ORDER DISMISSING APPEAL

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

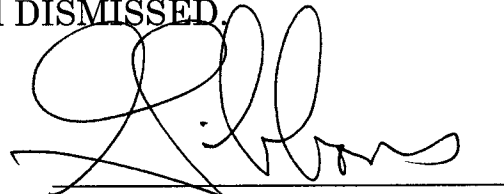
This is purportedly an appeal from a district court order denying a motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Elizabeth Halverson, Judge.

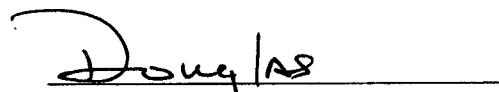
Our preliminary review of this appeal revealed a jurisdictional defect. Specifically, it appeared that the district court took the motion to correct an illegal sentence off calendar on February 14, 2007. Accordingly, on April 25, 2007, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for a lack of jurisdiction. On May 14, 2007, counsel for appellant filed a response to the order to show cause. In the response, counsel for appellant confirmed that the motion to correct the illegal sentence was taken off calendar. Counsel for appellant also explained that she was appointed to represent appellant in his appeal from the order of the district court denying his post-conviction petition for a writ of habeas corpus. That appeal is currently docketed in this court as Docket No. 49154.

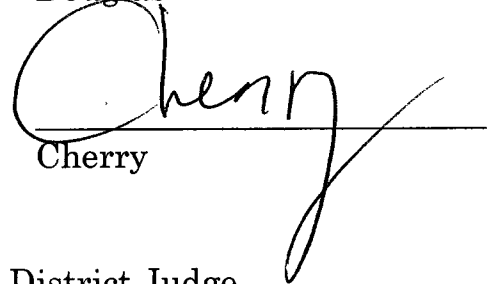
It therefore appears from the documents before this court that the district court has not yet resolved the motion to correct the illegal sentence. Appellant's appeal is premature; appellant may file a notice of appeal from a final, written order of the district court denying his motion

to correct an illegal sentence.¹ Because appellant has failed to designate an appealable order in this case, we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Elizabeth Halverson, District Judge
Karen A. Connolly, Ltd.
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk
Willie Lamar Hartwell

¹See Edwards v. State, 112 Nev. 704, 918 P. 2d 321 (1996).