

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAD E. FOSTER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 49544

FILED

JUL 24 2007

ORDER DISMISSING APPEAL

JAMETTE M. BLOOM
CLERK OF SUPREME COURT
BY J. Wasado
DEPUTY CLERK


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 May 22, 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

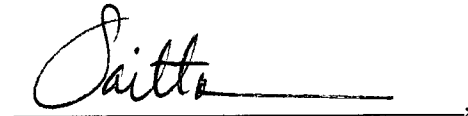
¹See NRAP 4(b).

consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Parraguirre


_____, J.
Hardesty


_____, J.
Saitta

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