

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL T. MCLAUGHLIN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 50136

**FILED**

OCT 03 2007

ORDER DISMISSING APPEAL

JANE M. BLOOM  
CLERK OF SUPREME COURT  
BY A. Alvarado  
DEPUTY CLERK

This is a proper person appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

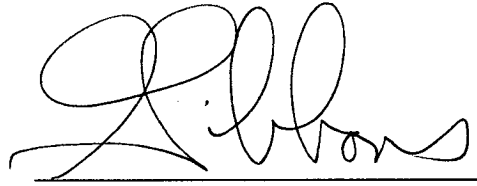
This court's review of this appeal reveals a jurisdictional defect. The district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. We conclude that appellant's notice of appeal was premature, and we dismiss this appeal without prejudice to appellant's right to file a timely appeal from a final, written order denying his petition.<sup>1</sup> Accordingly, we conclude that

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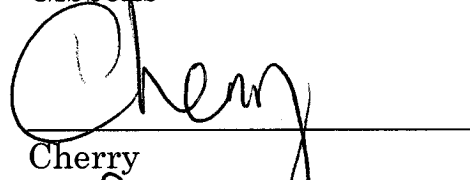
<sup>1</sup>See NRS 34.575(1).

we lack jurisdiction to consider this appeal, and we

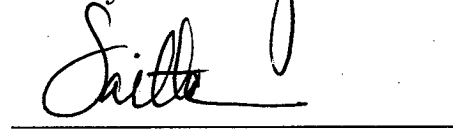
ORDER this appeal DISMISSED.

  
\_\_\_\_\_ J.

Gibbons

  
\_\_\_\_\_ J.

Cherry

  
\_\_\_\_\_ J.

Saitta

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