

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID MARISCAL,
Appellant,
vs.
WARDEN, ELY STATE PRISON, E.K.
MCDANIEL,
Respondent.

No. 50228

FILED

OCT 15 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL


This appeal was initiated by a notice of appeal filed in proper person. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

In the Second Judicial District Court, appellant filed a notice of appeal indicating that he wished to appeal to the United States District Court from a decision entered on August 24, 2007. That notice of appeal was docketed in the instant case.

Our preliminary review of this appeal reveals a jurisdictional defect. To the extent that appellant intended to initiate proceedings in the United States District Court, appellant improperly filed his notice of appeal in the Second Judicial District Court. The documents before this court do not indicate that an appealable order was entered in the Second Judicial District Court on August 24, 2007. Because appellant filed his notice of appeal in the wrong forum and because appellant failed to

designate an appealable order, we lack jurisdiction to consider this appeal,
and we

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Cherry


_____, J.
Saitta

cc: Hon. Brent T. Adams, District Judge
David Mariscal
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk