

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL KIMBALL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53138

FILED

FEB 11 2009

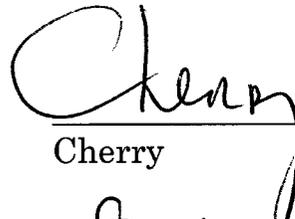
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This appeal was initiated by a proper person notice of appeal. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

On January 16, 2009, appellant filed a notice of appeal in the Eighth Judicial District Court. In his notice of appeal, appellant designated this court's decision in Kimball v. State, Docket No. 51521 (Order of Affirmance, December 17, 2008), and indicated his intention to appeal this order to the United States District Court. Appellant may not file an appeal to this court from an order of this court. To the extent that appellant sought federal relief, the notice of appeal was erroneously filed in state court. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Valorie Vega, District Judge
Daniel Kimball
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk