

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL EDWARD CLARK,  
Appellant,  
vs.  
WARDEN, SOUTHERN NEVADA  
CORRECTIONAL CENTER,  
Respondent.

No. 53251

**FILED**

APR 14 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY W. W. W. W.  
DEPUTY CLERK

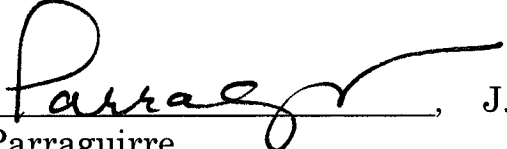
ORDER DISMISSING APPEAL

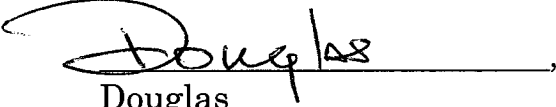
This is a proper person appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Doug Smith, Judge.

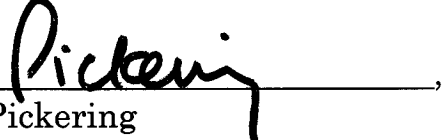
On February 5, 2009, appellant filed a proper person notice of appeal in the district court from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. However, the district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. Thus, the notice of appeal was premature, and we lack jurisdiction to consider the appeal. Appellant

may file an appeal from a final order of the district court denying his petition. See NRS 34.575. Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Doug Smith, District Judge  
Michael Edward Clark  
Attorney General Catherine Cortez Masto/Las Vegas  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk