IN THE SUPREME COURT OF THE STATE OF NEVADA

ROY K. HARDIN,
Appellant,
vs.
NEVADA BOARD OF PAROLE
COMMISSIONERS,
Respondent.

corpus.

Hardcastle, Judge.

No. 53252

FILED

APR 14 2009

ORDER DISMISSING APPEAL

Eighth Judicial District Court, Clark County; Kathy A.

This is a proper person appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas

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

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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.¹

Cherry, J

J.

Saitta

Gibbons, J.

cc: Hon. Kathy A. Hardcastle, District Judge Roy K. Hardin Attorney General Catherine Cortez Masto/Las Vegas Eighth District Court Clerk

¹We have considered the documents submitted in this court, and we conclude that no relief is warranted for the reason set forth above.