

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIE T. SMITH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53573

FILED

APR 23 2009

ORDER DISMISSING APPEAL

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

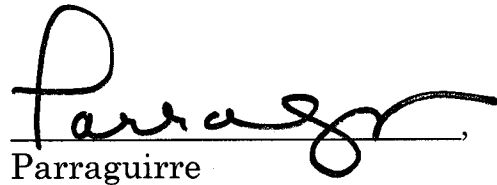
This is a proper person appeal from a purported order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; David Wall, Judge.

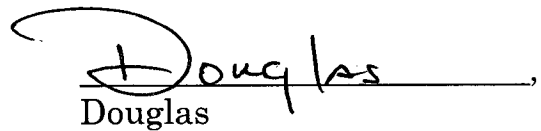
On April 8, 2009, appellant filed a notice of appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. However, the district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. Thus, the notice of appeal was premature, and we lack jurisdiction to consider the appeal. Appellant may file an appeal from a

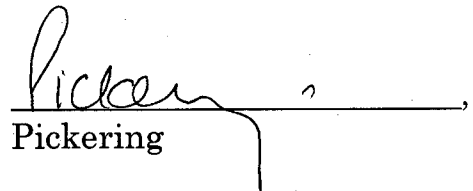
final order of the district court denying his petition. NRS 34.575.

Accordingly, we

ORDER this appeal DISMISSED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. David Wall, District Judge
Willie T. Smith
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk