

IN THE SUPREME COURT OF THE STATE OF NEVADA

LANCE REBERGER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53574

FILED

APR 21 2009

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

ORDER DISMISSING APPEAL

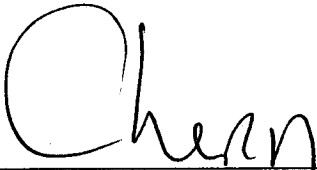
This is a proper person appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

On April 3, 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.

Cherry

 _____ J.

Saitta

 _____ J.

Gibbons

cc: Hon. Elissa F. Cadish, District Judge
Lance Reberger
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk