

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER DANIEL PETROSKY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53835

FILED

JUN 05 2009

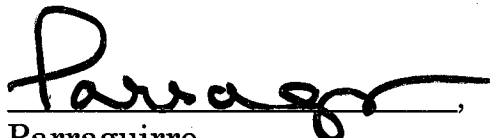
ORDER DISMISSING APPEAL

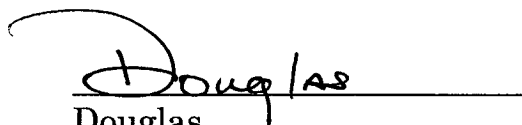
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

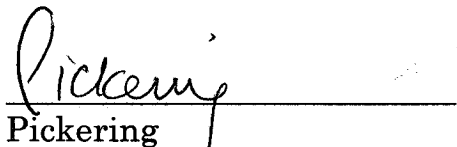
This is a proper person appeal from a purported decision of the district court denying a motion for sentence modification. Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

On May 19, 2009, appellant filed a notice of appeal from a purported decision of the district court denying a motion for sentence modification. However, the district court had not made a decision, oral or written, on appellant's motion at the time he filed his notice of appeal. Thus, the notice of appeal was premature, and we lack jurisdiction to consider the appeal. Accordingly, we

ORDER this appeal DISMISSED.¹


Parraguirre J.


Douglas J.


Pickering J.

¹We deny as moot appellant's request to consolidate this appeal.

cc: Hon. Jerome Polaha, District Judge
Peter Daniel Petrosky
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk