

IN THE SUPREME COURT OF THE STATE OF NEVADA

GENE ANTHONY ALLEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53911

FILED

JUL 09 2009

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

ORDER DISMISSING APPEAL

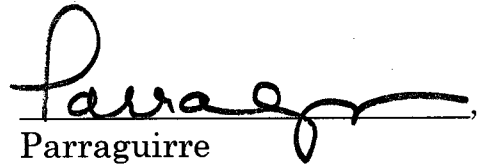
This is a proper person appeal from a purported decision of the district court denying a petition for a writ of mandamus. Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

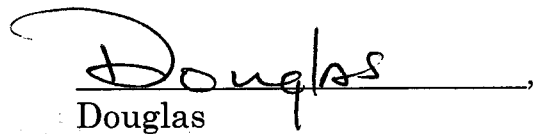
On May 29, 2009, appellant filed a notice of appeal from a purported decision of the district court denying a petition for a writ of mandamus. However, the district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal.¹ Thus, the notice of appeal was premature, and we lack jurisdiction to

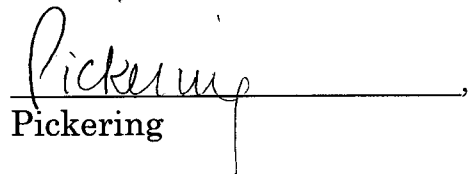
¹The minutes indicate that consideration of the petition has been continued until October 29, 2009.

consider the appeal. Appellant may file an appeal from a final order of the district court denying his petition. Accordingly, we

ORDER this appeal DISMISSED.²

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. James M. Bixler, District Judge
Gene Anthony Allen
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

²We have considered all documents submitted in this matter, and for the reason set forth above, we deny the relief requested therein.