

IN THE SUPREME COURT OF THE STATE OF NEVADA


ORLANDO GARIBAY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54311

FILED

AUG 27 2009

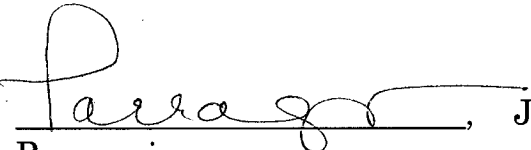
ORDER DISMISSING APPEAL

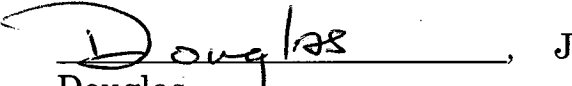
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

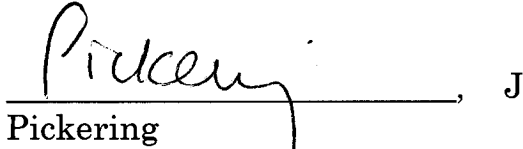
This is a proper person appeal from a purported decision of the district court denying a motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

On August 6, 2009, appellant filed a proper person notice of appeal in the district court from a purported decision of the district court denying a motion to correct an illegal sentence. However, the district court had not made a decision, oral or written, on appellant's motion when he filed his notice of appeal. Thus, the notice of appeal was premature. Accordingly, we

ORDER this appeal DISMISSED.


Parraguirre


Douglas


Pickering

cc: Hon. Valerie Adair, District Judge
Orlando Garibay
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk