

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONALD KING,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54436

**FILED**

SEP 29 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a purported order of the district court denying a motion to modify or correct sentence. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

On August 27, 2009, appellant filed a proper person notice of appeal in the district court designating an order denying a motion to modify or correct sentence. However, the documents before this court indicate that the district court had not made a decision, oral or written, at the time appellant filed his notice of appeal. Because appellant failed to designate an appealable order, we

ORDER this appeal DISMISSED.

*[Signature: Cherry]*  
\_\_\_\_\_, J.  
Cherry

*[Signature: Saitta]*  
\_\_\_\_\_, J.  
Saitta

*[Signature: Gibbons]*  
\_\_\_\_\_, J.  
Gibbons

09-23704

cc: Hon. Donald M. Mosley, District Judge  
Donald King  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk