

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE W. LUSTER, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55273

FILED

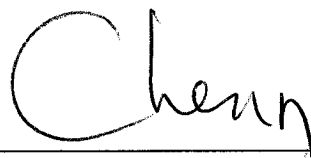
FEB 03 2010


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

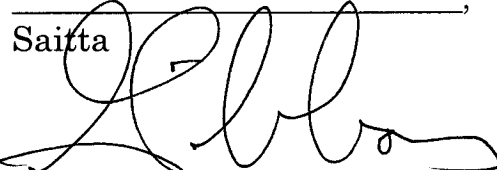
ORDER DISMISSING APPEAL

This is a proper person appeal from a purported order of the district court denying a post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge. The notice of appeal was premature. At the time appellant filed his notice of appeal, the district court had not made a decision, oral or written, on the petition. Because appellant failed to designate an appealable order, we

ORDER this appeal DISMISSED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Kenneth C. Cory, District Judge
George W. Luster Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk