

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL A. SAKAY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55374

FILED

MAY 07 2010

TRACIE K. LINDENMAN
CLERK OF SUPREME COURT
BY *U. P. [Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

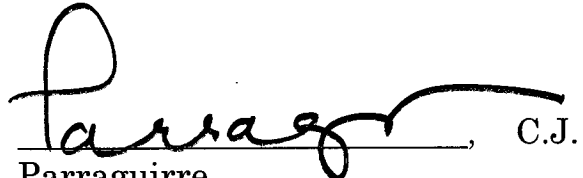
This is a proper person appeal from an order denying a motion to reopen habeas corpus proceedings. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

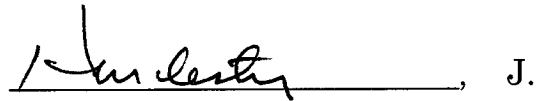
No statute or court rule permits an appeal from an order denying a motion to reopen habeas corpus proceedings.¹ Castillo v. State,

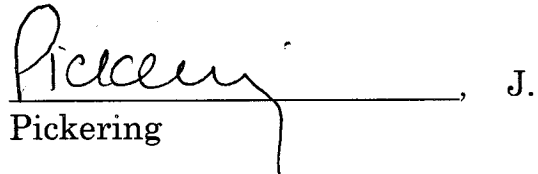
¹The habeas corpus proceedings initiated by the filing of a post-conviction petition for a writ of habeas corpus on August 9, 2001, were closed pursuant to appellant's motion and the order entered was drafted by appellant. Notably, in his motion to close the proceedings, appellant acknowledged that he was abandoning the petition and that subsequent actions would face procedural bars. The supplemental petition that he seeks to revive was part of those proceedings and was abandoned by appellant's own actions.

106 Nev. 349, 792 P.2d 1133 (1990). Accordingly, we lack jurisdiction, and
we

ORDER this appeal DISMISSED.²


Parraguirre, C.J.


Hardesty, J.


Pickering, J.

cc: Hon. David B. Barker, District Judge
Michael A. Sakay
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have considered the proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.