

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,  
Appellant,  
vs.  
MAURICE CARROLL A/K/A MAURICE  
AUSBORNE,  
Respondent.

No. 58268

**FILED**

**MAY 27 2011**

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order granting respondent's motion for a new trial. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge. We lack jurisdiction to consider this appeal because an order granting a motion for a new trial that is entered before a judgment of conviction is not a final appealable order. See State v. Lewis, 124 Nev. 132, 136, 178 P.3d 146, 148 (2008). Therefore, we

ORDER this appeal DISMISSED.

Saitta, J.  
Saitta

Hardesty, J.  
Hardesty

Parraguirre, J.  
Parraguirre

cc: Hon. Elissa F. Cadish, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Clark County Public Defender  
Eighth District Court Clerk