

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35548

JULIO SMITH PARRA,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

APR 27 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a jury verdict. Our preliminary review of this appeal has revealed that the notice of appeal was prematurely filed, and that, therefore, this court lacks jurisdiction to entertain this appeal.

Specifically, on December 3, 1999, a jury found appellant guilty of one count of possession of a stolen vehicle, one count of possession of a controlled substance, one count of burglary, two counts of robbery with the use of a deadly weapon, two counts of burglary while in possession of a firearm, and one count of attempted robbery with the use of a deadly weapon. Based on our review of the documents submitted in this appeal, it appears that the district court had not sentenced appellant when the notice of appeal was filed, nor had the district court entered a final, written judgment of conviction.

Although NRS 177.015(3) provides that a defendant may appeal from a "final judgment or verdict in a criminal case" (emphasis added), this court's rules of appellate procedure do not contemplate the filing of an appeal from a verdict prior to sentencing and entry of a written judgment of conviction. For example, NRAP 4(b) provides:

In a criminal case, the notice of appeal by a defendant shall be filed in the district court within thirty (30) days after the entry of the judgment or order appealed from. A notice of appeal filed after the announcement of a decision, sentence or order but before entry of the judgment or order shall be treated as filed after such entry and on the day thereof. . . . A judgment or order is entered within the meaning of this subdivision when it is signed by the judge and filed with the clerk.

Moreover, NRS 176.105(b) requires that the judgment of conviction must set forth the plea, the verdict, the adjudication and sentence, and the amount of credit granted for time spent in confinement before conviction, if any. Therefore, appellant must be sentenced and a written judgment of conviction must be entered by the district court before an appeal will lie.

Appellant's notice of appeal was prematurely filed, and therefore, this court lacks jurisdiction to entertain this appeal. Accordingly, we

ORDER this appeal dismissed.<sup>1</sup>

Young J.  
Young  
Agosti J.  
Agosti  
Leavitt J.  
Leavitt

cc: Hon. Sally L. Loehrer, District Judge  
Attorney General  
Clark County District Attorney  
Julio Smith Parra  
Clark County Clerk

<sup>1</sup>We note that appellant filed a timely notice of appeal after sentencing. That appeal has been docketed in this court as Parra v. State, No. 35677.