

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTONIO PIMENTEL CONTRERAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60595

FILED

MAY 09 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Angela
DEPUTY CLERK


ORDER DISMISSING APPEAL

This is an appeal from a district court order denying appellant Antonio Pimentel Contreras' post-conviction petition for a writ of habeas corpus. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.


Our review of the documents submitted in this appeal suggested that the district court order was not a final order because it did not resolve Contreras' claim that counsel was ineffective for failing to ensure that the judgment of conviction awarded the correct amount of credit for time served. Accordingly, we directed Contreras to show cause why this appeal should not be dismissed for lack of jurisdiction. In response, Contreras concedes that the district court did not resolve this claim but asserts that this court should decline to dismiss this appeal because the parties stipulated that he is entitled to the additional credit and dismissal would cause unnecessary expenditures of time and money.

Because the district court order does not resolve all claims raised below it is not a final order. Therefore, we lack jurisdiction over this appeal and we

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Michael Montero, District Judge
Karla K. Butko
Attorney General/Carson City
Humboldt County District Attorney
Humboldt County Clerk
Antonio Pimentel Contreras