

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM E. FERGUSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62723

FILED

JUN 13 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

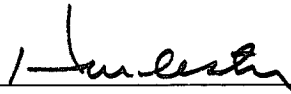
ORDER DISMISSING APPEAL

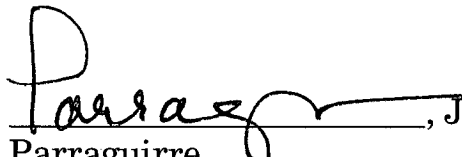
This is an appeal from a judgment of conviction in a criminal action. Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

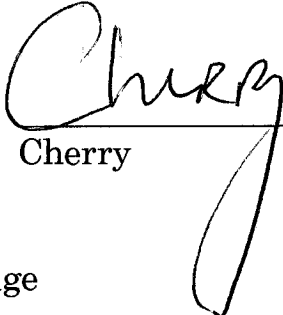
Appellant filed his notice of appeal on February 28, 2013, after the verdict was announced but before he was sentenced. On May 10, 2013, the district court entered an order committing appellant due to incompetency. Although we will generally hold a premature notice of appeal on this court's docket pending entry of the judgment of conviction, *see George v. State*, 122 Nev. 1, 3, 127 P.3d 1055, 1056 (2006) (“[A] premature notice of appeal filed after the verdict but before sentencing will be treated under NRAP 4(b)[2] as filed after the entry of judgment.”), because it is unclear when, or if, appellant will be deemed competent to proceed with sentencing and, therefore, it is uncertain when a judgment of conviction may be entered, we decline to hold the notice of appeal on this

court's docket. Appellant may file a notice of appeal once a judgment of conviction has been entered. See NRS 177.015(3); NRAP 4(b)(1)(A). We

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. James M. Bixler, District Judge
Joseph P. Reiff
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
William E. Ferguson