

IN THE SUPREME COURT OF THE STATE OF NEVADA

COLTEN DAWSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 68738

FILED

NOV 19 2015

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

ORDER DISMISSING APPEAL


This is an appeal from a district court order affirming a judgment of conviction entered in the justice court. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.


When our initial review of this appeal revealed a potential jurisdictional defect, we directed appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, appellant's case arose in justice court and the district court has final appellate jurisdiction over cases arising in justice courts. Nev. Const. art. 6, § 6; *Waugh v. Casazza*, 85 Nev. 520, 521, 458 P.2d 359, 360 (1969).

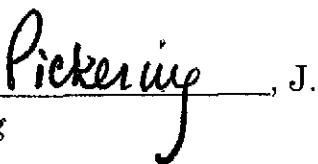
In response, appellant agrees that the district court has final appellate jurisdiction over cases arising in justice court. He asserts that this case raises important constitutional and evidentiary issues and asks that this court treat the appeal as an original petition for a writ of certiorari. Respondent has filed a reply asserting that this court lacks jurisdiction over the appeal and opposing appellant's request to treat the appeal as a petition for writ of certiorari.

Having considered the response and reply, we conclude that we lack jurisdiction over this appeal. If counsel wishes to file a writ, he may do so, but we decline to construe the notice of appeal as a petition for a writ of certiorari. Accordingly, we

ORDER this appeal DISMISSED.


Saitta


Gibbons


Pickering

cc: Hon. Patrick Flanagan, District Judge
Fahrendorf, Vioria, Oliphant & Oster, LLP
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk
Colten Dawson