

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN EDWARDS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69822

FILED

APR 27 2016

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

ORDER DISMISSING APPEAL

This is an appeal from a purported decision denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Appellant filed his notice of appeal on January 27, 2016. In his notice of appeal, appellant states that he is appealing from a decision entered on December 18, 2015. The documents before this court do not indicate that any decision was entered in the district court on that date. To the extent that appellant appeals from the order denying a postconviction petition for a writ of habeas corpus entered on July 6, 2015, that order was already appealed in Docket No. 68257, and this court entered an order of affirmance on December 18, 2015.¹ Because appellant

¹To the extent appellant is attempting to appeal from this court's December 18, 2015, order of affirmance in Docket No. 68257, the proper avenue to challenge that decision would have been to file a petition for rehearing in that appeal pursuant to NRAP 40. However, the time to file a petition for rehearing in Docket No. 68257 has now passed and the remittitur has issued in that appeal. See NRAP 40(a)(1); NRAP 41.

failed to designate an appealable order, we lack jurisdiction over this appeal, and we

ORDER this appeal DISMISSED.

Douglas, J.
Douglas

Cherry, J.
Cherry

Gibbons, J.
Gibbons

cc: Hon. Stefany Miley, District Judge
Brian Edwards
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk