

IN THE SUPREME COURT OF THE STATE OF NEVADA

EARL LEE MCMILLIAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72616

FILED

APR 13 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court denying a presentence motion to withdraw a guilty plea. Eighth Judicial District Court, Clark County; Richard Scotti, Judge.

Our review of this appeal reveals a jurisdictional defect. An order denying a presentence motion to withdraw a guilty plea is not a final appealable order; the decision may be challenged on appeal from the judgment of conviction. NRS 177.015(3); NRS 177.045; *Hargrove v. State*, 100 Nev. 498, 686 P.2d 222 (1984). Accordingly, we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

J. Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. Richard Scotti, District Judge
Earl Lee McMillian
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Feliciano Law Offices LLC