

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEANGELO LAMONT MITCHELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74777

FILED

APR 16 2018

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

ORDER DISMISSING APPEAL

This is a pro se appeal from an oral order of the district court dismissing appellant's case. Eighth Judicial District Court, Clark County; Richard F. Scotti, Judge. Because it did not appear that the district court had entered a written order memorializing its decision, we entered an order on March 7, 2018, directing the district court to (1) enter a written order, (2) inform this court in writing that it is reconsidering its decision, or (3) inform this court in writing that additional time is needed to enter the written order. The district court has now entered an order informing this court that it is reconsidering its decision. The district court requests that we remand this matter so that the case may proceed in the district court.

The district court's oral order is of no effect, cannot be appealed, and does not divest the district court of jurisdiction. See NRAP 4(a)(6) (a premature notice of appeal does not divest the district court of jurisdiction); *Div. of Child & Family Servs. v. Eighth Judicial Dist. Court*, 120 Nev. 445, 451, 92 P.3d 1239, 1243 (2004) (dispositional orders that are administrative in nature must be in writing, signed, and filed to become effective); *cf. Bradley v. State*, 109 Nev. 1090, 864 P.2d 1272 (1993) (an oral pronouncement of sentence is not final and does not divest the district court of jurisdiction). Because it does not appear that the district court has

entered a written judgment, we conclude that we lack jurisdiction to consider this appeal and we order this appeal dismissed. This dismissal is without prejudice to appellant's right to appeal from a final, written order of the district court. Given this dismissal, the district court's request to remand this matter is denied as moot.

It is so ORDERED.

Cherry, J.
Cherry

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. Richard Scotti, District Judge
Deangelo Lamont Mitchell
Attorney General/Carson City
Eighth District Court Clerk