

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS EARL OATES,  
Appellant,

vs.


TIMOTHY FILSON, WARDEN; JAMES  
DZURENDA, DIRECTOR; THE STATE  
OF NEVADA DEPARTMENT OF  
CORRECTIONS; AND THE STATE OF  
NEVADA,

Respondents.

No. 74446

FILED

FEB 01 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

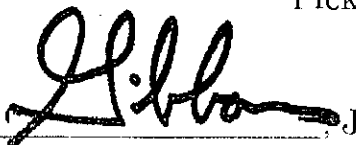
ORDER DISMISSING APPEAL

This is a pro se appeal “from the decision of this court issued on 23rd day of October, 2017.” Seventh Judicial District Court, White Pine County; Gary Fairman, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, no decision was entered on October 23, 2017. To the extent appellant’s appeal is in regard to his postconviction petition for a writ of habeas corpus, no decision had been made on the petition when appellant filed his appeal on November 7, 2017. To the extent that appellant appeals from the order treating his petition for writ of mandamus as a petition for writ of habeas corpus and the order for points and authorities, no statute or court rule permits an appeal from such orders. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.

 J.  
Pickering

 J.  
Gibbons

 J.  
Hardesty

18-04542

cc: Hon. Gary Fairman, District Judge  
Thomas Earl Oates  
Attorney General/Carson City  
White Pine County Clerk