

IN THE SUPREME COURT OF THE STATE OF NEVADA

DELANO SPAULDING,
Appellant,
vs.
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS,
Respondent.

No. 77045

FILED

OCT 19 2018

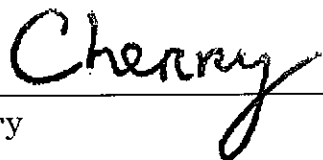
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

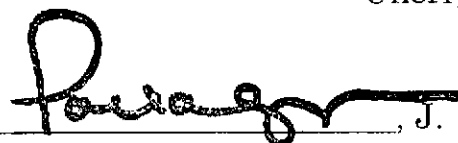
ORDER DISMISSING APPEAL

This is a pro se appeal from a purported district court order denying a postconviction petition for a writ of habeas corpus. Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, no decision had been made on the petition when appellant filed his appeal on September 20, 2018. Rather, the district court directed the respondent to file an answer to the petition. Thus, this appeal is premature. See NRS 177.015(3). To the extent that appellant appeals from the orders transferring jurisdiction and to respond, no statute or court rule provides for an appeal from such orders. See *Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990). Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Cherry


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Jim C. Shirley, District Judge
Delano Spaulding
Attorney General/Carson City
Pershing County Clerk