

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS LAMAR COTTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 76885

FILED

FEB 13 2019

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

THOMAS LAMAR COTTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77994

ORDER DISMISSING APPEAL IN DOCKET NO. 76885

These are both direct appeals from a judgment of conviction pursuant to NRAP 4(c) and *Lozada v. State*, 110 Nev. 349, 871 P.2d 944, 949 (1994). Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Respondent has moved to dismiss the appeal in Docket No. 76885 on procedural grounds because the notice of appeal was filed by counsel for appellant rather than by the district court clerk as anticipated by NRAP 4(c) and because an order had not been entered by the district court.¹

On January 24, 2019, the district court filed a certified copy of its findings of fact, conclusions of law and order granting appellant's petition for a writ of habeas corpus. In addition, on January 29, 2019, this court docketed the notice of appeal from the district court's order, filed by

¹Cause appearing, appellant's motion for an extension of time is granted. The clerk of the court shall file appellant's opposition received via e-flex on November 1, 2018, in Docket No. 76885.

the district court clerk pursuant to NRAP 4(c), in Docket No. 77994. Accordingly, this court grants the motion to dismiss Docket No. 76885, and appellant's appeal shall proceed in Docket No. 77994.

It is so ORDERED.

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

cc: Hon. Tierra Danielle Jones, District Judge
Nevada Appeal Group, LLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk