

IN THE SUPREME COURT OF THE STATE OF NEVADA

CURTIS CLAY WILLIAMS,

No. 37116

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

JAN 23 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. P. [Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

Appellant purports to appeal in proper person from an order of the district court denying a motion to correct an illegal sentence. Our review of this appeal reveals a jurisdictional defect. The district court has not entered a written order denying appellant's motion. Prior to the entry of a final, written judgment or order, and the timely filing of a notice of appeal, the district court technically retains jurisdiction over appellant's case. See Bradley v. State, 109 Nev. 1090, 864 P.2d 1272 (1993). The documents before this court indicate that at the time appellant filed his notice of appeal, the district court had not yet ruled on appellant's motion. Accordingly, we conclude that appellant's notice of appeal is premature, and we dismiss this appeal without prejudice to appellant's right to appeal from a final, written order of the district court denying his petition. Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal dismissed.

[Signature]

Shearing J.

[Signature]

Agosti J.

[Signature]

Leavitt J.

cc: Hon. Peter I. Breen, District Judge
Attorney General
Washoe County District Attorney
Curtis Clay Williams
Washoe County Clerk