

IN THE SUPREME COURT OF THE STATE OF NEVADA

GARY DERRICK FAIR, A/K/A DERRICK  
GARY FAIR,

Appellant,

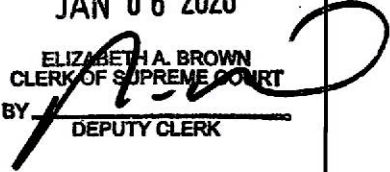
vs.

BRIAN WILLIAMS, WARDEN,  
Respondent.

No. 79966

**FILED**

JAN 06 2020

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. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

This court's review of this appeal reveals a jurisdictional defect. Specifically, no decision had been made on the "First Amended Petition for Writ of Habeas Corpus (Post Conviction) Stay Requested" when appellant filed the notice of appeal on October 17, 2019. To the extent that appellant's appeal is in regard to the "Decision and Order" entered on May 2, 2018, the notice of appeal was untimely filed, *see Lozada v. State*, 110 Nev. 349, 871 P.2d 944 (1994), and appellant has already appealed the decision in Docket No. 75487. A second duplicate appeal may not be pursued. Accordingly, this court

ORDERS this appeal DISMISSED.

  
Parraguirre

  
Hardesty, J.

  
Cadish, J.

cc: Hon. Valerie Adair, District Judge  
Gary Derrick Fair  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk