

IN THE SUPREME COURT OF THE STATE OF NEVADA

CALVIN O'NEIL JACKSON,

No. 37446

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

MAR 15 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT

BY: *[Signature]*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

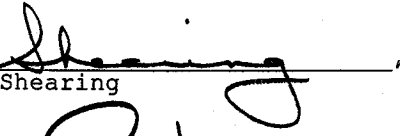
On September 15, 1999, the district court entered a judgment of conviction in district court case number C156105. Appellant filed a timely notice of appeal from his judgment of conviction on September 24, 1999. Appellant's direct appeal was docketed in this court in Docket No. 34890. While his direct appeal was pending, appellant filed a proper person petition for a writ of habeas corpus in the district court. On January 22, 2001, the district court entered an order denying appellant's petition. Further, while his direct appeal was pending, on January 30, 2001, appellant prepared a document that he labeled "Judicial Notice." On February 7, 2001, this court affirmed appellant's judgment of conviction. One day later, on February 8, 2001, appellant's "Judicial Notice" document was filed in the district court.

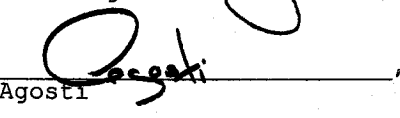
The clerk of the district court interpreted appellant's "Judicial Notice" document to be a notice of appeal from the January 22, 2001 order denying appellant's post-conviction petition for a writ of habeas corpus and the district court clerk transmitted an appeal packet to this court. The clerk of this court docketed the matter as a proper person post-conviction appeal in Docket No. 37446.

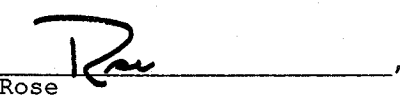
Based upon our review of the documents before this court, we conclude that the district court clerk incorrectly interpreted appellant's "Judicial Notice" document to be a notice of appeal. Appellant's "Judicial Notice" document was a request to his appellate attorney, Mr. Jeffrey Banks, to raise additional

claims on direct appeal. Appellant's "Judicial Notice" document was not a notice of appeal.<sup>1</sup> Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Agosti

  
\_\_\_\_\_, J.  
Rose

cc: Hon. Joseph T. Bonaventure, District Judge  
Attorney General  
Clark County District Attorney  
Calvin O'Neil Jackson  
Clark County Clerk

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<sup>1</sup>Because service of notice of entry of the order denying appellant's post-conviction petition for a writ of habeas corpus was not properly accomplished, see NRS 34.830(2), the time for filing a timely notice of appeal from the order denying appellant's petition has not commenced.