

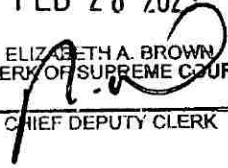
IN THE SUPREME COURT OF THE STATE OF NEVADA

JUSTICE ALTON-JAMES NALL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86079

FILED

FEB 28 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  CHIEF DEPUTY CLERK


ORDER DISMISSING APPEAL

This appeal was initiated by the filing of a pro se notice of appeal. Eighth Judicial District Court, Clark County; Mary Kay Holthus, Judge.

Appellant filed a notice of appeal on February 3, 2023. The notice of appeal does not specifically identify any judgments of the district court. To the extent that appellant's appeal is in regard to the judgment of conviction entered on September 30, 2022, the notice of appeal was untimely filed. *See Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (explaining that an untimely notice of appeal fails to vest jurisdiction in this court), *abrogated on other grounds by Rippo v. State*, 134 Nev. 411, 423 P.3d 1084 (2018). To the extent that appellant appeals from an order resolving a postconviction petition for a writ of habeas corpus, the appeal is premature as no decision, oral or written, had been made on the petition when appellant filed the notice of appeal. *See* NRS 177.015(3) (stating that

a defendant only may appeal from a final judgment or verdict). Accordingly,
this court

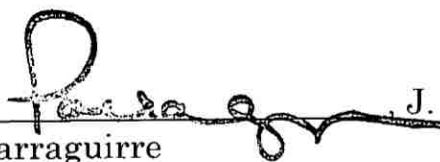
ORDERS this appeal DISMISSED.



Herndon J.



Lee J.



Parraguirre J.

cc: Hon. Mary Kay Holthus, District Judge
Justice Alton-James Nall
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk