

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN TYRONE POWELL,
Appellant,
vs.
WARDEN, ELY STATE PRISON, E.K.
MCDANIEL,
Respondent.

No. 38192

FILED

MAR 14 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Ruben*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL AND REMANDING

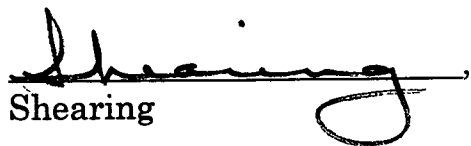
This is an appeal from an order of the district court denying appellant's post-conviction petition for a writ of habeas corpus. On January 25, 2002, the State filed a motion for remand. In the motion, the State correctly points out that the order entered by the district court does not address all the legal issues in the petition and contains no findings of fact.

NRS 34.830(1) provides that "[a]ny order that finally disposes of a [post-conviction] petition, whether or not an evidentiary hearing was held, must contain specific findings of fact and conclusions of law supporting the decision of the court." The entry of specific findings of fact and conclusions of law greatly assists this court in the resolution of post-conviction appeals. Without a specific order resolving a petition, this court is unable to determine the basis for the district court's decision. In the instant matter, the district court failed to comply with NRS 34.830(1).

Accordingly, cause appearing the motion for remand is granted. The district court shall enter findings of fact and conclusions of law that resolve all issues that were raised by appellant in the petition.

Appellant may then file a timely notice of appeal from the district court's order.¹ We therefore,

ORDER this appeal DISMISSED AND REMAND this matter to the district court for proceedings consistent with this order.²

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Steven R. Kosach, District Judge
Scott W. Edwards
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

¹This order constitutes our final disposition of this appeal. Any subsequent appeal shall be docketed as a new matter.

²We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.