

IN THE SUPREME COURT OF THE STATE OF NEVADA

SVETOSLAV J. SLAWOW,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39009

FILED

JUN 06 2002

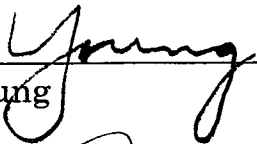
ORDER DISMISSING APPEAL

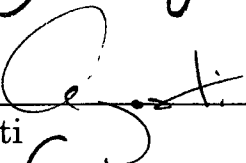
STATE OF NEVADA
CLERK OF SUPREME COURT
BY *Richard*
CHIEF DEPUTY CLERK


Appellant purports to appeal in proper person from an order of the district court denying his post-conviction petition for a writ of habeas corpus. Our review of this appeal reveals a jurisdictional defect. The district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. Accordingly, we conclude that appellant's notice of appeal was 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.¹ Accordingly, we

¹An appeal from an order denying a post-conviction petition for a writ of habeas corpus must be filed within thirty-three days after proper service of notice of entry of the order by the clerk of the district court. See NRS 34.575; NRS 34.830; NRAP 26(c). It appears from this court's review of the record on appeal that service of notice of entry of the order denying appellant's post-conviction petition for a writ of habeas corpus was never accomplished. Thus, appellant's time for filing a notice of appeal may not have commenced.

conclude that we lack jurisdiction to consider this appeal, and we
ORDER this appeal DISMISSED.²


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Michael L. Douglas, District Judge
Attorney General/Carson City
Clark County District Attorney
Svetoslav J. Slawow
Clark County Clerk

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