

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN L. SCOTT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39547

FILED

MAY 31 2002

ORDER DISMISSING APPEAL


JANE LEM BLOOM
CLERK OF SUPREME COURT
BY *J. Ruback*
CHIEF DEPUTY CLERK


On April 23, 2002, appellant filed a proper person notice of appeal. In his notice of appeal, appellant acknowledged that the district court had not made a decision on the petition for a writ of habeas corpus that appellant filed prior to sentencing and entry of the judgment of conviction. Our review of this appeal reveals a jurisdictional defect. First, this court does not have jurisdiction to consider appellant's appeal filed prior to the district court's reaching a decision on the petition because appellant is not an aggrieved party.¹ Second, even assuming that the district court had reached a decision on the petition, this court lacks

¹NRS 177.015; NRAP 4(b).

jurisdiction to consider the appeal because the decision on the petition would be an intermediate order of the trial proceedings.² Accordingly, we ORDER this appeal DISMISSED.³


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. John S. McGroarty, District Judge
Attorney General/Carson City
Clark County District Attorney
Steven L. Scott
Clark County Clerk

²NRS 177.015(3) (“The defendant only may appeal from a final judgment or verdict in a criminal case.”); NRS 177.045 (“Upon the appeal, any decision of the court in an intermediate order or proceeding, forming a part of the record, may be reviewed.”).

³We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.