

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH RUBEN SANCHEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40290

FILED

OCT 15 2002

ORDER DISMISSING APPEAL


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

Appellant purports to appeal in proper person from an order of the district court entered August 26, 2002, denying appellant's 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.¹ 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

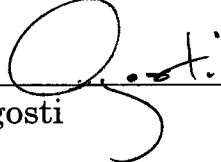
¹Rather, it appears that on August 26, 2002, the district court granted appellant's motion for the appointment of counsel. The documents before this court indicate that Ms. Christine Hinds confirmed as counsel on August 28, 2002.

petition. Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Rose


_____, J.
Young


_____, J.
Agosti

cc: Hon. Lee A. Gates, District Judge
Attorney General/Carson City
Clark County District Attorney
Christine Hinds, Esq.
Joseph Ruben Sanchez
Clark County Clerk