

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL ANDREW WOODS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40430

FILED

NOV 21 2002

ORDER DISMISSING APPEAL

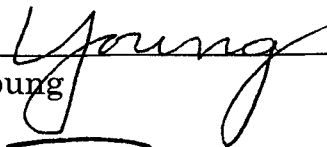
JENNIFER M. BROWN
CLERK OF SUPREME COURT
BY *J. Richard*

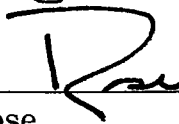
Appellant purports to appeal in proper person from an order of the district court entered October 21, 2002, denying appellant's post-conviction petition for a writ of habeas corpus. Our review of this appeal reveals a jurisdictional defect. The district court had not made a final decision, oral or written, 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


¹In fact, the documents before this court reveal that on October 21, 2002, the district court continued consideration of appellant's petition for sixty days.

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

ORDER this appeal DISMISSED.


_____, C.J.
Young


_____, J.
Rose


_____, J.
Agosti

cc: Hon. Kathy A. Hardcastle, District Judge
Attorney General/Carson City
Clark County District Attorney
Michael Andrew Woods
Clark County Clerk