

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY TERRELL HAMPTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 42270

FILED

MAR 24 2004

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an amended judgment of conviction.<sup>1</sup> The amended judgment of conviction was actually the third amended judgment of conviction entered in this case, and was entered in response to appellant's proper person "Motion to Compel Compliance With Court's Order." Prior to entering the third amended judgment of conviction, the district court orally denied appellant's motion. According to the district court minutes, the district court entered the third amended judgment of conviction so that there would be no misunderstanding. It is not entirely clear why the district court did not simply enter an order denying appellant's motion.

The third amended judgment of conviction, does not substantively differ from the second amended judgment of conviction, which was entered by the district court on April 25, 2003.<sup>2</sup> The third

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<sup>1</sup>It appeared that appellant had been represented by counsel in the district court proceedings, and this court ordered attorney Jason Frierson to comply with the requirements of NRAP 3C. On March 3, 2004, Frierson filed a response informing this court that he appeared in the district court on behalf of the State. Accordingly, this court's order of February 5, 2004, is vacated.

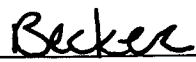
<sup>2</sup>Both the second and third judgments of conviction correctly vacated appellant's conviction for kidnapping, as mandated by this court. See


*continued on next page . . .*


amended judgment of conviction was therefore superfluous, and any issues appellant has with regard to the third amended judgment of conviction should have been raised in an appeal from the second amended judgment of conviction.<sup>3</sup>

Having concluded that there are no issues that can be raised in an appeal from the third amended judgment of conviction, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Becker

  
\_\_\_\_\_, J.  
Agosti

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Donald M. Mosley, District Judge  
Jason M. Frierson  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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*... continued*

Hampton v. State, Docket No. 32378 (Order of Affirmance, December 4, 2001). The district court was under no obligation to conduct a new sentencing hearing on the remaining convictions.

<sup>3</sup>Appellant filed an untimely notice of appeal from the second amended judgment of conviction, and this court dismissed the appeal. Hampton v. State, Docket No. 41661 (Order Dismissing Appeal, August 27, 2003).