

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRINIDAD MARTINEZ,
Appellant,
vs.
JAMES BACA, WARDEN; AND THE
STATE OF NEVADA,
Respondents.

No. 60857

FILED

SEP 07 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DISMISSING APPEAL


This is an appeal from an order of the district court denying appellant's post-conviction petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

Because it appeared that the district court order did not resolve the claims raised in the supplemental petition filed by counsel, and thus was not a final order, on July 31, 2012, we directed appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. In response, counsel agrees that the district court order does not resolve all claims raised by appellant below, but suggests that this court could remand this appeal for further proceedings rather than dismissing the appeal for lack of jurisdiction. Because the district court

order does not resolve all claims raised below, it is not a final order, and we lack jurisdiction. Therefore, we

ORDER this appeal DISMISSED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Patrick Flanagan, District Judge
Karla K. Butko
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk