


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KEVIN JAMES FITZSIMMONS,
Appellant,
vs.
PERRY RUSSELL, WARDEN WSCC,
Respondent.

No. 79178-COA

FILED

JUL 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

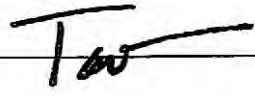
Kevin James Fitzsimmons appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on April 30, 2019. First Judicial District Court, Carson City; James E. Wilson, Judge.

Our review of this appeal reveals a jurisdictional defect. The July 5, 2019, order purportedly denying Fitzsimmons' petition did not resolve all of the claims raised in the petition. Specifically, it did not address Fitzsimmons' claim that the Nevada Department of Corrections is failing to apply credits he earned pursuant to NRS 209.4465 to his maximum sentences. The order was thus not a final order. *See Sandstrom v. Second Judicial Dist. Court*, 121 Nev. 657, 659, 119 P.3d 1250, 1252 (2005) ("[A] final order [is] one that disposes of all issues and leaves nothing

for future consideration.”). Accordingly, we lack jurisdiction to consider this appeal, *see* NRS 177.015(3), and we

ORDER this appeal DISMISSED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. James E. Wilson, District Judge
Kevin James Fitzsimmons
Attorney General/Carson City
Carson City Clerk