

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN STEVEN SPISAK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 41086

FILED

APR 16 2003

ORDER DISMISSING APPEAL

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

Appellant purports to appeal in proper person from a decision of the district court denying appellant's 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. 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 petition. Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Rose, J.
Rose

Maupin, J.
Maupin

Gibbons, J.
Gibbons

cc: Hon. Joseph T. Bonaventure, District Judge
John Steven Spisak
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk