

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 49329

FILED

MAY 08 2007

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

ORDER RE: ENTRY OF WRITTEN JUDGMENT OR ORDER

This is a proper person appeal from a decision of the district court denying a post-conviction petition for a writ of habeas corpus. This court's review of this appeal reveals that as of the date of this order, the district court has not entered a written order denying the petition. The criminal court minutes indicate that the district court orally denied the petition in court on April 11, 2007. Prior to the entry of a final, written judgment or order, and the timely filing of a notice of appeal, the district court technically retains jurisdiction over appellant's case.<sup>1</sup> See Bradley v. State, 109 Nev. 1090, 864 P.2d 1272 (1993). Thus, a copy of the written judgment or order is essential to a determination of this court's jurisdiction to consider this appeal.

Accordingly, the district court shall have thirty (30) days from the date of this order within which to: (1) enter a written judgment or order or (2) inform this court that it is reconsidering its decision. In the event the district court enters a written judgment or order (or has already

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<sup>1</sup>In a criminal case, a notice of appeal filed after announcement of the decision, but before entry of the written judgment or order is deemed to have been filed "after such entry and on the day thereof." NRAP 4(b)(1).

entered a written judgment or order of which this court is unaware), the clerk of the district court shall immediately transmit a certified copy of the judgment or order to the clerk of this court.

It is so ORDERED.

Maupin, C.J.

cc: Hon. Sally L. Loehrer, District Judge  
Brian Kerry O'Keefe  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk