

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN HAROLD FLOWERS, III,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55759

FILED

APR 12 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER RE: ENTRY OF WRITTEN JUDGMENT OR ORDER

This is an appeal from a district court order denying a motion for new trial. The criminal court minutes indicate that the district court orally denied the motion for new trial in court on March 17, 2010, but it is not clear whether the district court has entered a written order. Prior to the entry of a final, written order and the timely filing of a notice of appeal, the district court technically retains jurisdiction over appellant's case. 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)(2). See Bradley v. State, 109 Nev. 1090, 864 P.2d 1272 (1993). Thus, a copy of the written order denying the motion for new trial is essential to a determination of this court's jurisdiction to consider this appeal.

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

court is unaware), the clerk of the district court shall immediately transmit a certified copy of the order to the clerk of this court.

It is so ORDERED.

 C.J.

cc: Hon. Linda Marie Bell, District Judge
Special Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk