

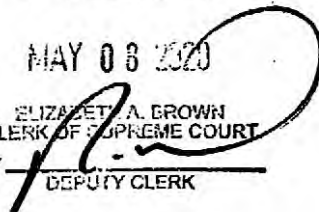
IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES HOWARD HAYES, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81076

FILED

MAY 08 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DIRECTING ENTRY OF WRITTEN ORDER OR RESPONSE

This is a pro se appeal from a district court order denying a motion to correct an illegal sentence. Based on this court's review of the district court docket and minute entries, it appears that a motion to correct an illegal sentence was filed in the district court on December 16, 2019. The State filed an opposition to the motion on December 30, 2019, and appellant filed a reply on January 27, 2020. On March 18, 2020, it appears that the district court orally denied the motion. It does not appear, however, that a written order resolving the motion to correct an illegal sentence has been entered.¹

A copy of the written order is essential to a determination of this court's jurisdiction to consider this appeal.² Accordingly, the district

¹On April 7, 2020, the district court entered an order denying appellant's February 24, 2020, motion for ruling on motion to correct an illegal sentence.

²Prior to the entry of a final written judgment, and the timely filing of a notice of appeal, the district court technically retains jurisdiction over appellant's case. *See Bradley v. State*, 109 Nev. 1090, 1094-95, 864 P.2d 1272, 1275 (1993). In a criminal case, a notice of appeal filed after announcement of the decision, but before entry of the written judgment or

court shall have 28 days from the date of this order to (1) enter a written order denying the motion, (2) inform this court in writing that it is reconsidering its decision, or (3) inform this court that no final decision has been made on the motion. In the event the district court enters a written order (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.

Pickering, C.J.

cc: Hon. William D. Kephart, District Judge
James Howard Hayes, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

order is deemed to have been filed after such entry and on the day thereof.
NRAP 4(b)(2).