

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 83274

**FILED**

**AUG 02 2021**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DIRECTING ENTRY AND TRANSMISSION OF  
WRITTEN ORDER*

This is a pro se appeal from a district court order denying a motion to modify and/or correct an illegal sentence. Appellant filed the notice of appeal on July 21, 2021. Based on this court's review of the district court minute entries, it appears that the district court orally denied the motion on July 14, 2021. It further appears, however, that a written order denying the motion has not been entered in this matter. A copy of the written order is essential to a determination of this court's jurisdiction to consider this appeal.<sup>1</sup> Accordingly, the district court shall have 60 days from the date of this order to (1) enter a written order, (2) inform this court in writing that it is reconsidering its decision, or (3) inform this court in

---

<sup>1</sup>Prior 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 order, is deemed to have been filed after such entry and on the day thereof. NRAP 4(b)(2).

writing that additional time is needed to enter the written order. 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.

1. J. S. S. S., C.J.

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