

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH ALEXANDER HENDERSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85367

FILED

OCT 18 2022

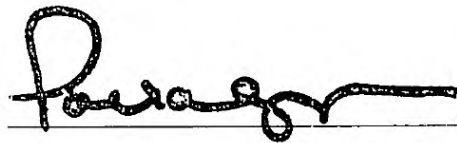
ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DIRECTING ENTRY AND TRANSMISSION OF  
WRITTEN ORDER*

On September 1, 2022, and September 8, 2022, appellant filed pro se notices of appeal. In his notices of appeal, appellant states that he is appealing the denial of his postconviction petition for a writ of habeas corpus in district court case number 05C212968. Review of the documents before this court does not indicate that a habeas corpus petition was filed in that district court case number. However, a review of the related district court case number A-21-840121-W reveals that a habeas corpus petition was orally denied in that district court case number. Accordingly, this court will infer that appellant's appeal is in regard to the minute order denying a habeas corpus petition in district court case number A-21-840121-W. See *Forman v. Eagle Thrifty Drugs & Markets*, 89 Nev. 533, 516 P.2d 1234 (1973), *overruled on other grounds by Garvin v. Dist. Ct.*, 118 Nev. 749, 59 P.3d 1180 (2002) (stating that the notice of appeal "should not be used as a technical trap for the unwary draftsman," and a "defective notice of appeal should not warrant dismissal for want of jurisdiction where the intention to appeal from a specific judgment may be reasonably inferred from the text of the notice and where the defect has not materially misled" respondent).

Based on this court's review of the district court minute entries, it appears that the district court orally denied the petition in district court case number A-21-840121-W on August 25, 2022. It further appears, however, that a written order denying the petition has not been entered in this matter. *See* NRAP 4(b)(5)(B). 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 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.

 C.J.

cc: Hon. Bitia Yeager, District Judge  
Joseph Alexander Henderson  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<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).