

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW TRAVIS HOUSTON,
Appellant,
vs.
CALVIN JOHNSON, WARDEN; AND
THE STATE OF NEVADA,
Respondents.

No. 87884

FILED

JAN 17 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

*ORDER DIRECTING ENTRY AND TRANSMISSION OF
WRITTEN ORDER*

This appears to be an appeal from a district court decision denying an emergency motion to modify and/or correct illegal sentence. Appellant filed the notice of appeal on January 3, 2024. Based on this court's review of the district court docket entries, it appears that the district court orally denied the motion on December 6, 2023. 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.¹ 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

¹Prior 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).

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: Matthew Travis Houston
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk