

IN THE SUPREME COURT OF THE STATE OF NEVADA

CRAIG ISRAEL HORENSTEIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43016

FILED

MAY 10 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL


This is an appeal from an order of the district court denying an appeal and affirming a conviction from justice's court. Our preliminary review revealed a potential jurisdictional defect. Specifically, the district courts have final appellate jurisdiction in cases arising in justice's and municipal courts.¹ When the district court acts in its appellate capacity, this court lacks appellate jurisdiction over the district court.


On April 1, 2004, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. On April 21, 2004, counsel for appellant filed a response in


¹See Nev. Const. art. 6, § 6; Tripp v. City of Sparks, 92 Nev. 362, 550 P.2d 419 (1976); Waugh v. Casazza, 85 Nev. 520, 458 P.2d 359 (1969).

which counsel concedes that this court lacks jurisdiction to entertain this appeal. Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Steven P. Elliott, District Judge
Walter B. Fey
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk