

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEPHEN M. DELONG,  
Appellant,  
vs.  
CITY OF RENO,  
Respondent.

No. 43364

**FILED**

JUL 19 2004

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a motion for the appointment of counsel in an appeal in the district court from a municipal court misdemeanor conviction and an order dismissing appeal and remanding the matter to the municipal court. Second Judicial District Court, Washoe County; Steven P. Elliott, Judge.


Our review of this appeal reveals two jurisdictional defects. First, the right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.<sup>1</sup> No statute or court rule provides for an appeal from an order denying a motion for the appointment of counsel. Further, appellant's case arose in the municipal court. The district court has final appellate jurisdiction over a case arising

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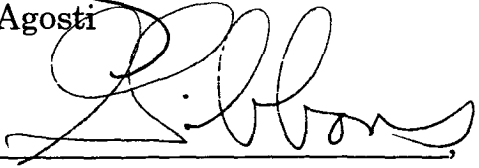
<sup>1</sup>Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

in the municipal court.<sup>2</sup> Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Becker

  
\_\_\_\_\_, J.  
Agosti

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Steven P. Elliott, District Judge  
Stephen M. DeLong  
Reno City Attorney  
Washoe District Court Clerk

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<sup>2</sup>Nev. Const. art. 6, § 6; Tripp v. The City of Sparks, 92 Nev. 362, 550 P.2d 419 (1976).