

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEMAR ANTONIO GANT,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 44133

**FILED**

DEC 10 2004

ORDER DISMISSING APPEAL

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

This is an appeal from an order of the district court dismissing an appeal from justice's court. Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

Our preliminary review of this appeal revealed a jurisdictional defect. Specifically, the district courts have final appellate jurisdiction in cases arising in justice's and municipal courts.<sup>1</sup> When the district court acts in its appellate capacity, this court lacks appellate jurisdiction over the district court.


Accordingly, on November 5, 2004, this court ordered appellant's counsel to show cause why this appeal should not be dismissed

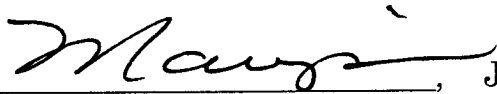
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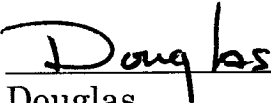
<sup>1</sup>See Nev. Const. art. 6, § 6; Tripp v. City of Sparks, 92 Nev. 362, 550 P.2d 419 (1976); Waugh v. Casazza, 85 Nev. 520, 458 P.2d 359 (1969).

for lack of jurisdiction. Counsel has failed to respond to our order. We conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Sally L. Loehrer, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk