

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD A. CAPRI,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 44318

FILED

JAN 13 2005

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order denying a document labeled, "motion to order N.D.O.C. to lift Band [sic] on Petitioner using 28-line legal paper for his legal pleadings." Eighth Judicial District Court, Clark County; Sally L. Loehrer, Judge.

Our review of this appeal reveals a jurisdictional defect. 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 the denial of the aforementioned motion. Accordingly, we

ORDER this appeal DISMISSED.

*Maupin*, J.  
Maupin

*Douglas*, J.  
Douglas

*Parraguirre*, J.  
Parraguirre

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

cc: Hon. Sally L. Loehrer, District Judge  
Richard A. Capri  
Attorney General Brian Sandoval/Carson City  
Attorney General Brian Sandoval/Las Vegas  
Clark County District Attorney David J. Roger  
Clark County Clerk