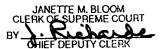
IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW SCOTT WHITE,
Appellant,
vs.

THE STATE OF NEVADA, Respondent. No. 44460

FEB 1 0 2005

ORDER DISMISSING APPEAL



This is a proper person appeal from an order of the district court denying a peremptory challenge of a district court judge pursuant to S.C.R. 48.1. Fifth Judicial District Court, Nye County; John P. Davis, 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. No statute or court rule provides for an appeal from an order denying a peremptory challenge of a district court judge in a criminal matter. Accordingly, we

ORDER this appeal DISMISSED.

Maupin

Douglas

Parraguirre

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

SUPREME COURT OF NEVADA cc: Hon. John P. Davis, District Judge
Matthew Scott White
Attorney General Brian Sandoval/Carson City
Nye County District Attorney/Tonopah
Nye County Clerk