

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW SCOTT WHITE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 44460

FILED

FEB 10 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 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.<sup>1</sup> 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*, J.  
Maupin

*Douglas*, J.  
Douglas

*Parraguirre*, J.  
Parraguirre

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

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