

IN THE SUPREME COURT OF THE STATE OF NEVADA

CONNELL EDWARD CALDWELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45184

FILED

JUL 08 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *JMB*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a pretrial petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

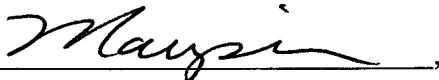
This court's preliminary review of this appeal revealed a jurisdictional defect. Specifically, the right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.¹ No statute or court rule provides for an appeal from an order denying a pretrial habeas petition.

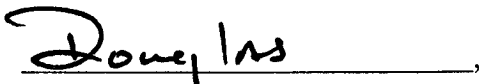
On May 16, 2005, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Counsel has failed to respond to this court's order to show

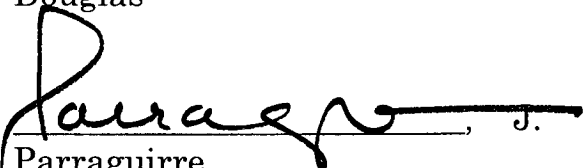
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

cause. We conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

 J.
Maupin

 J.
Douglas

 J.
Parraguirre

cc: Hon. Kathy A. Hardcastle, 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