

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH E. WHITE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45299

FILED

AUG 16 2005

JANET H. M. FLEURY
CLERK OF SUPREME COURT
BY *J. Richardson*
CHIEF CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion to submit a brief in a post-conviction proceeding. Eighth Judicial District Court, Clark County; Donald M. Mosley, 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.¹ No statute or court rule provides for an appeal from an order of the district court denying a motion to submit a brief in a post-conviction proceeding. Accordingly, we

ORDER this appeal DISMISSED.

Rose

Rose J.

Gibbons

Gibbons J.

Hardesty

Hardesty J.

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

cc: Hon. Donald M. Mosley, District Judge
Kenneth E. White
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk