

IN THE SUPREME COURT OF THE STATE OF NEVADA

JERMAINE BRASS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45894

FILED

OCT 05 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 motion for reconsideration. Eighth Judicial District Court, Clark County; Lee A. Gates, 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 for reconsideration.² Accordingly, we

ORDER this appeal DISMISSED.

Douglas
_____, J.
Douglas

Rose
_____, J.
Rose

Parraguirre
_____, J.
Parraguirre

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

²Phelps v. State, 111 Nev. 1021, 900 P.2d 344 (1995).

cc: Hon. Lee A. Gates, District Judge
Jermaine Brass
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk