

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN TOLE MOXLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46132

FILED

NOV 18 2005

ORDER DISMISSING APPEAL

JANEITE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Rubade*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying appellant's proper person motion to dismiss his counsel. Eighth Judicial District Court, Clark County; John S. McGroarty, 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 denying a motion to dismiss counsel. 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).

cc: Hon. John S. McGroarty, District Judge
Gregory L. Denué
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
John Tole Moxley