

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 46223

**FILED**

FEB 23 2006

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

This is an appeal from an order of the district court denying appellant's motion for self-representation. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

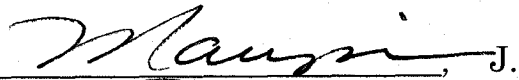
This court's review of this appeal revealed a jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.<sup>1</sup> No statute or court rule provides for an appeal from the denial of a motion for self-representation. Accordingly, on December 9, 2005, this court ordered appellant's counsel to show cause why this appeal should not be dismissed. Counsel has

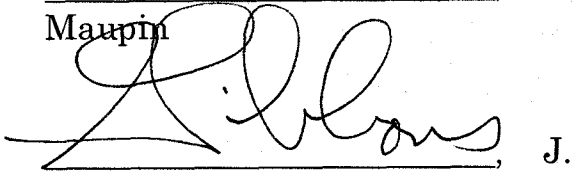
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<sup>1</sup>Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

failed to respond. We conclude that we lack jurisdiction to entertain this appeal and we

ORDER this appeal DISMISSED.

  
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Maupin J.

  
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Gibbons J.

  
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Hardesty J.

cc: Honorable Jackie Glass, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk  
John Tole Moxley