

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE TYRONE DUNLAP, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46513

FILED

FEB 23 2006

ORDER DISMISSING APPEAL

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

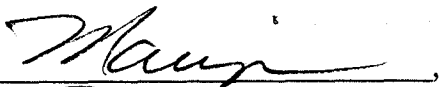
This is an appeal from an order of the district court denying appellant's pre-sentencing motion to withdraw his guilty plea. Eighth Judicial District Court, Clark County; John S. McGroarty, Judge.

Our review of the documents before this court has revealed a jurisdictional defect. No statute or court rule provides for a separate and independent appeal from an order of the district court denying a pre-judgment motion to withdraw a guilty plea.¹

¹See NRS 177.015(3) ("The defendant only may appeal from a final judgment or verdict in a criminal case."); NRS 177.045 ("Upon the appeal, any decision of the court in an intermediate order or proceeding, forming a part of the record, may be reviewed."); Lee v. State, 115 Nev. 207, 210, 985 P.2d 164, 166 (1999) ("[A] district court's ruling on a pre-judgment motion to withdraw a guilty plea is reviewable on direct appeal from the judgment as an intermediate order in the proceeding.").

Accordingly, we conclude that we lack jurisdiction to entertain this appeal and we


ORDER this appeal DISMISSED.²

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

cc: Eighth Judicial District Court Dept. 16, District Judge
Gregory L. Denue
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
George Tyrone Dunlap, Jr.

²The dismissal of this appeal is without prejudice to appellant's right to file a timely notice of appeal from the judgment of conviction.