

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM LYONS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48552

FILED

JAN 08 2007

ORDER DISMISSING APPEAL

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

This is a proper person appeal from a purported decision of the district court denying a post-conviction petition for a writ of habeas corpus and an order denying a motion for authentication and certification of transcripts. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

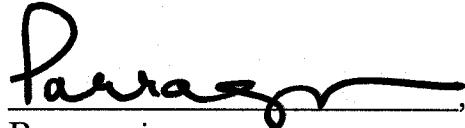
To the extent that appellant appealed the purported denial of his post-conviction petition for a writ of habeas corpus, this court lacks jurisdiction over the appeal. The district court had not made a decision, oral or written, on appellant's petition at the time he filed his notice of appeal. Thus, appellant's notice of appeal was premature. Appellant may file a timely appeal from a final, written order denying his petition.¹

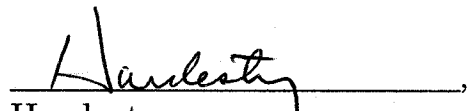
To the extent that appellant appealed the denial of a motion for authentication and certification of transcripts, our review of this appeal reveals a further jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to


¹See NRS 34.575(1).

appeal exists.² No statute or court rule provides for an appeal from an order denying the aforementioned motion. Accordingly, we

ORDER this appeal DISMISSED.


Parraguirre, J.


Hardesty, J.


Saitta, J.

cc: Hon. Donald M. Mosley, District Judge
William Lyons
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

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