IN THE SUPREME COURT OF THE STATE OF NEVADA

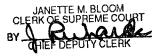
IRVIN RICHARD MCGARVA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 49258

FILED

MAY 23 2007

ORDER DISMISSING APPEAL



This is a proper person appeal from an order of the district court denying a motion for recusal of district court judge. Second Judicial District Court, Washoe County; Steven R. Kosach, 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. No statute or court rule provides for an appeal from an order denying a motion for recusal of district court judge. Accordingly, we

ORDER this appeal DISMISSED.

Parraguirre

Hardesty

Saitta

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

J.

J.

cc: Hon. Steven R. Kosach, District Judge
Irvin Richard McGarva
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk