

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALEXIS COVARRUBIAS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 50064

**FILED**

OCT 18 2007

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY J. Alvarado  
DEPUTY CLERK

This is an appeal from an order of the district court denying appellant's pretrial petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Steven P. Elliott, Judge.

Our review of this appeal revealed a potential 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 a district court order denying a pretrial habeas petition.


Accordingly, on September 6, 2007, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. On October 4, 2007, counsel for appellant submitted a response to this court's order to show cause. In the response, counsel for appellant concedes that no statute or rule provides for an appeal from a

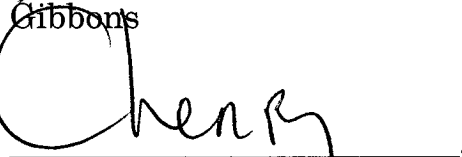
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<sup>1</sup>Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

district court order denying a pretrial habeas petition.<sup>2</sup> Accordingly, we conclude that we lack jurisdiction over this appeal, and we

ORDER this appeal DISMISSED.

 J.

Gibbons  
 J.  
Cherry

 J.  
Saitta

cc: Hon. Steven P. Elliott, District Judge  
O'Mara Law Firm, P.C.  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk  
Alexis Covarrubias

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<sup>2</sup>The pretrial habeas petition challenged a court ruling limiting appellant's right to confrontation at the preliminary hearing.