

IN THE SUPREME COURT OF THE STATE OF NEVADA

KHANG A. DANG A/K/A JASON  
WONG,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 50274

**FILED**

NOV 16 2007

JUANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court denying appellant's motion for reconsideration of sentence. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge. This appeal is subject to the provisions of Nevada Rule of Appellate Procedure 3C.

Our preliminary 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 motion for reconsideration of sentence.

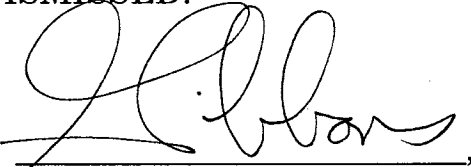
Accordingly, on October 4, 2007, this court ordered counsel for appellant to show cause why this appeal should not be dismissed. On October 22, 2007, counsel for appellant filed a response to this court's order to show cause. In the response, counsel for appellant concedes that the district court order denying the motion for reconsideration of sentence


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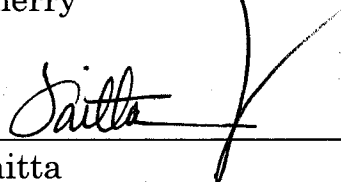
<sup>1</sup>Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

is not appealable. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Douglas W. Herndon, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk  
Khang A. Dang