

IN THE SUPREME COURT OF THE STATE OF NEVADA

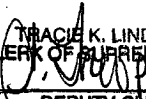
WAYNE SIMS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 50702

FILED

JAN 22 2008

ORDER DISMISSING APPEAL

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a motion for evidentiary hearing. Eighth Judicial District Court, Clark County; Jackie Glass, 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.¹ No statute or court rule provides for an

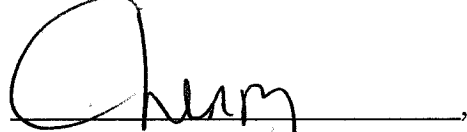
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

appeal from an order denying a motion for an evidentiary hearing.
Accordingly, we

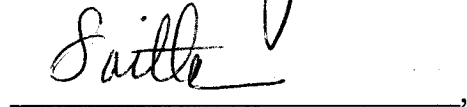
ORDER this appeal DISMISSED.²

 _____, J.

Maupin

 _____, J.

Cherry

 _____, J.

Saitta

cc: Hon. Jackie Glass, District Judge
Wayne Sims
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

²We have received all proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.