


IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN K. LEVINE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 51352

**FILED**

MAY 05 2008

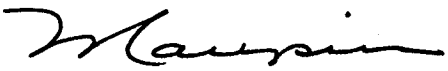
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

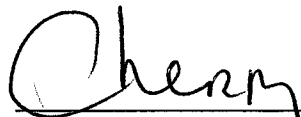
ORDER DISMISSING APPEAL


This is a proper person appeal from an order of the district court denying a motion for transcripts at state expense. Fourth Judicial District Court, Elko County; Andrew J. Puccinelli, 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.<sup>1</sup> No statute or court rule provides for an appeal from an order denying a motion for transcripts at state expense. Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Maupin

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

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

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

cc: Hon. Andrew J. Puccinelli, District Judge  
Brian K. Levine  
Attorney General Catherine Cortez Masto/Carson City  
Elko County District Attorney  
Elko County Clerk