

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID AUGUST KILLE, SR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 52056

**FILED**

NOV 21 2008


TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
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ORDER DISMISSING APPEAL

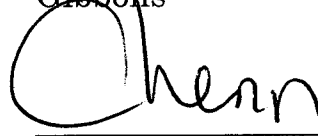
This is a proper person appeal from an order of the district court denying a motion for clarification. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

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 clarification. Accordingly, we

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, C. J.

Gibbons

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

Cherry

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

Saitta

<sup>1</sup>Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990).

cc: Hon. Michael Villani, District Judge  
David August Kille Sr.  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk