

IN THE SUPREME COURT OF THE STATE OF NEVADA

JESSIE DANIELS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53702

FILED

MAY 14 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion for counsel and request for evidentiary hearing. Eighth Judicial District Court, Clark County; David Wall, 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. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). No statute or court rule provides for an appeal from an order denying a motion for counsel and request for an evidentiary hearing. Accordingly, we

ORDER this appeal DISMISSED.

Cherry J.
Cherry

Saitta J.
Saitta

Gibbons J.
Gibbons

cc: Hon. David Wall, District Judge
Jessie Daniels
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk