

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT MEDINA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54113

FILED

AUG 10 2009

ORDER DISMISSING APPEAL

TRACEE K. LINDEMAN
CLERK OF THE SUPREME COURT
DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a motion requesting an evidentiary hearing. Eighth Judicial District Court, Clark County; Valerie Adair, 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 requesting an evidentiary hearing. Accordingly, we

ORDER this appeal DISMISSED.

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Valerie Adair, District Judge
Albert Medina
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk