

IN THE SUPREME COURT OF THE STATE OF NEVADA

GENE ANTHONY ALLEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54132

FILED

AUG 07 2009

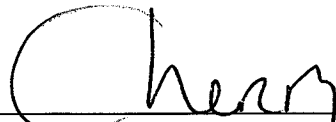
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DISMISSING APPEAL


This is a proper person appeal from an order of the district court denying a motion for the appointment of counsel. Eighth Judicial District Court, Clark County; James M. Bixler, 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 the appointment of counsel. Accordingly, we

ORDER this appeal DISMISSED.¹


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

¹We have received and considered all documents submitted in this matter, and we conclude that appellant is not entitled to relief for the reasons set forth above.

cc: Hon. James M. Bixler, District Judge
Gene Anthony Allen
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk