

IN THE SUPREME COURT OF THE STATE OF NEVADA

ORLANDO GARIBAY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54428

FILED

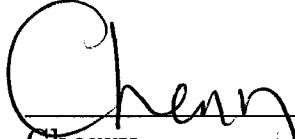
SEP 25 2009

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

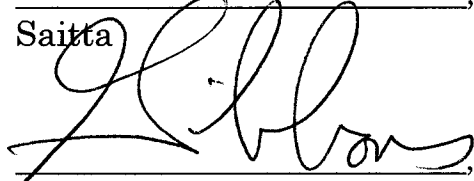
ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion to compel and suppress. 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 to compel and suppress. Accordingly, we
ORDER this appeal **DISMISSED**.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

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