

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEONARD HAIRSTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54602

**FILED**

**OCT 21 2009**

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

ORDER DISMISSING APPEAL

This is a proper person appeal from orders of the district court denying pretrial petitions for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, no appeal lies from an order denying a pretrial petition for a writ of habeas corpus. Gary v. Sheriff, 96 Nev. 78, 605 P.2d 212 (1980). The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists. See Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. Stefany Miley, District Judge  
Leonard Hairston  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk