

IN THE SUPREME COURT OF THE STATE OF NEVADA

NICHOLAS ANTHONY NAVARRETTE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54953

**FILED**

FEB 03 2010

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to give the benefit of the bargain. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge. We have considered counsel's response, and we conclude that because no statute or court rule provides for an appeal from an order denying such a motion, we lack jurisdiction. See Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (where no statute or court rule provides for an appeal, no right to appeal exists). We therefore

ORDER this appeal DISMISSED.

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. Douglas W. Herndon, District Judge  
Legal Resource Group  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk  
Nicholas Anthony Navarrette