

IN THE SUPREME COURT OF THE STATE OF NEVADA

TODD MCCLARY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55423

FILED

APR 08 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY T. Murado
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order denying a motion to preserve and produce evidence. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

No statute or court rule permits an appeal from an order denying a motion to preserve and produce evidence. Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990). Accordingly, we lack jurisdiction, and we ORDER this appeal DISMISSED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Michelle Leavitt, District Judge
Todd McClary
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk