

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANGEL ARROYO A/K/A OSCAR  
ESTEBAN ORDONEZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 55439

FILED

APR 07 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Angerson*  
DEPUTY

ORDER DISMISSING APPEAL

This is an appeal from “a final judgment entered . . . on the 27<sup>th</sup> day of January, 2010.” Eighth Judicial District Court, Clark County; David B. Barker, Judge. Our review of this appeal reveals a jurisdictional defect. Specifically, it appears that the district court did not enter an order on January 27, 2010. Further, to the extent appellant is attempting to appeal from the district court’s continuance on his motion to withdraw counsel, such a ruling is not substantively appealable. See Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to an appeal exists). Finally, to the extent appellant is attempting to appeal from the judgment of conviction, the appeal is untimely because it was filed well beyond the expiration of the 30-day appeal period prescribed by NRAP 4(b). See Lozada v. State, 110 Nev. 349, 352, 871 P.2d 944, 946

(1994). Accordingly, we conclude we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. David B. Barker, District Judge  
Sanft Law, P.C.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk  
Angel Arroyo