

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLEN MOYLE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56225

FILED

SEP 09 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 suppress evidence. Third Judicial District Court, Churchill County; Leon Aberasturi, Judge. An order denying a defendant's motion to suppress evidence is not independently appealable. See NRS 177.015(2) (only State may appeal from orders resolving motions to suppress); Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (the right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). We lack jurisdiction to consider this appeal and therefore we

ORDER this appeal DISMISSED.

L. Hardesty, J.
Hardesty

D. Douglas, J.
Douglas

P. Pickering, J.
Pickering

cc: Hon. Leon Aberasturi, District Judge
Wright & Hoshizaki
Attorney General/Carson City
Churchill County District Attorney
Churchill County Clerk
Allen Moyle