

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35244

DALE EVAN FRIIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

FILED

FEB 25 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This appeal is subject to the provisions of Nevada Rule of Appellate Procedure 3C. On October 20, 1999, the district court accepted appellant's Alford¹ plea. On November 12, 1999, appellant filed a proper person motion to withdraw his plea. On November 22, 1999, the district court took the motion off the court calendar and directed appellant's counsel, Clark County Public Defender Gary H. Lieberman, to determine if there was any legal basis for the motion before placing it back on the calendar. Appellant's sentencing was set for December 8, 1999. On December 2, 1999, appellant filed a notice of appeal in proper person from the district court's November 22, 1999, order taking appellant's proper person motion off the court calendar. On December 20, 1999, this court ordered Lieberman to show cause as to why this appeal should not be dismissed for lack of jurisdiction. On January 5, 2000, Lieberman filed a response.

From the documents before this court, we conclude that this court lacks jurisdiction to consider this appeal. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.

¹North Carolina v. Alford, 400 U.S. 25 (1970).