

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAX REED, II,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58856

FILED

AUG 30 2011

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

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a pretrial petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, no appeal lies from an order denying a pretrial petition for a writ of habeas corpus. Gary v. Sheriff, 96 Nev. 78, 605 P.2d 212 (1980). The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists. See Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Cherry, J.
Cherry,

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Janet J. Berry, District Judge
Max Reed, II
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk