

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEITON SMITH,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 60739

**FILED**

JUN 22 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *Handwritten Signature*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order granting respondent's pretrial motion to consolidate. Eighth Judicial District Court, Clark County; Carolyn Ellsworth, Judge. We lack jurisdiction because no statute or court rule provides for an appeal from an order granting a motion to consolidate. See Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Therefore, we

ORDER this appeal DISMISSED.<sup>1</sup>

*Saitta* \_\_\_\_\_, J.  
Saitta

*Pickering* \_\_\_\_\_, J.  
Pickering

*Hardesty* \_\_\_\_\_, J.  
Hardesty

<sup>1</sup>In the event appellant is convicted, appellant may challenge the denial of the motion to consolidate on appeal from the judgment of conviction. See NRS 177.045.

cc: Hon. Carolyn Ellsworth, District Judge  
Dayvid J. Figler  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk  
Keiton Smith