

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID A. JOYCE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 35659

FILED

MAR 23 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Bloom*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

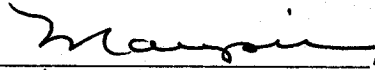
Appellant filed a notice of appeal on February 11, 2000. Appellant did not, however, designate the order appealed from as required by NRAP 3(c). Our review of the documents before this court indicates that the district court entered an order denying defendant's motion for production of final orders from justice and district courts on February 3, 2000, eight days prior to appellant's filing of his notice of appeal. To the extent appellant appeals from this order, our review of this appeal reveals a jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists. *Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990). No statute or court rule provides for an appeal from an order denying a motion for production of final orders from justice and district courts.

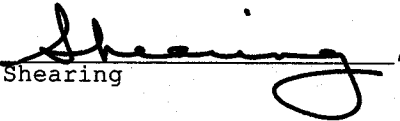
We note that appellant filed a petition for a writ of habeas corpus on October 27, 1999. The documents before this court indicate that at the time appellant filed his notice of appeal, the district court had not yet ruled on appellant's petition. Accordingly, to the extent appellant purports to appeal from the denial of his habeas corpus petition, we conclude that appellant's notice of appeal is premature, and we dismiss

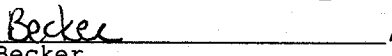
this appeal without prejudice to appellant's right to appeal from a final, written order of the district court denying his petition.

Accordingly, we

ORDER this appeal dismissed.


Maupin J.


Shearing J.


Becker J.

cc: Hon. Sally L. Loehrer, District Judge
Attorney General
Clark County District Attorney
David A. Joyce
Clark County Clerk