

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES LAWAYNE POSEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62709

FILED

APR 12 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Tracie K. Lindeman
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to modify the conditions of probation. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

We lack jurisdiction to consider this appeal because no statute or court rule provides for an appeal from such an order. *See Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Therefore, we

ORDER this appeal DISMISSED.¹

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Cherry, J.
Cherry

¹In light of this order, no action will be taken on appellant's motion to voluntarily dismiss this appeal.

cc: Hon. Michelle Leavitt, District Judge
Clark County Public Defender
James Lawayne Posey
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk