

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY B. DEGIOVANNI,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 62996

**FILED**

JUN 13 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

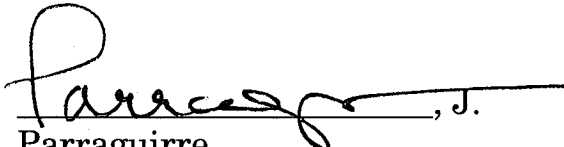
*ORDER DISMISSING APPEAL*

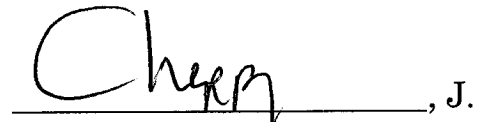
This is an appeal from a district court order denying a “motion to terminate restitution and refund restitution collected in the amount exceeding the sum due.” Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

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, 352-53, 792 P.2d 1133, 1135 (1990). We decline appellant’s request to treat the notice of appeal as a petition for a writ of mandamus. If appellant’s counsel determines that pursuit of a petition for a writ of mandamus with this court is proper, appellant may file a petition

in this court in compliance with NRAP 21. Because we lack jurisdiction,  
we

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

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Jerome Polaha, District Judge  
Law Offices of Curtis B. Coulter  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

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<sup>1</sup>The Honorable James H. Hardesty, Justice, voluntarily recused himself from participating in this appeal.