

IN THE SUPREME COURT OF THE STATE OF NEVADA

WAYNE DOUGLAS SMITH,

No. 35834

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

APR 24 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court granting respondent's motion for extension of time within which to file respondent's answer to petition for a writ of habeas corpus. 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 granting a motion for extension of time to file an answer. Accordingly, we

ORDER this appeal dismissed.

Young, J.  
Young  
Agosti, J.  
Agosti  
Leavitt, J.  
Leavitt

cc: Hon. David A. Huff, District Judge  
Attorney General  
Churchill County District Attorney  
Wayne Douglas Smith  
Churchill County Clerk