

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD CHARLES SILVA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 66005

FILED

AUG 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to reconsider. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

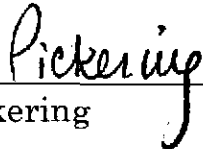
We lack jurisdiction to consider this appeal because a motion for reconsideration is not substantively appealable. *See Phelps v. State*, 111 Nev. 1021, 1022-23, 900 P.2d 344, 344-45 (1995); *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists).


To the extent that appellant asserts he appeals from the judgment of conviction entered on January 31, 2014, and/or the amended judgment of conviction entered on April 17, 2014, the notice of appeal does not identify either judgment as the judgment being challenged on appeal. NRAP 3(c)(1)(B). Further, the notice of appeal is untimely from the entry of both the judgment of conviction and the amended judgment of conviction, *see* NRAP 4(b)(1)(A), and we reject appellant's assertion that a motion to reconsider tolled the time to appeal from the judgment of


conviction and/or the amended judgment of conviction, *see* NRAP 4(b)(3).

Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Stefany Miley, District Judge
Mayfield, Gruber & Sheets
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Ronald Charles Silva