

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
LEONARD GOLDBERG,
Respondent.

No. 66243

FILED

AUG 11 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER DISMISSING APPEAL

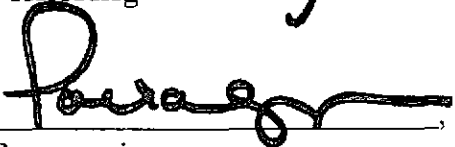
Appeal from a district court decision granting a motion to exclude the contents of recordings of phone calls made from jail under NRS 179.500. Eighth Judicial District Court, Clark County; Elizabeth Goff Gonzalez, Judge.

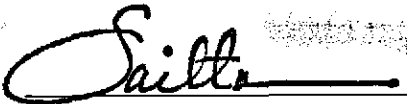
Our preliminary review of the documents transmitted with the notice of appeal revealed a potential jurisdictional defect as it appeared that the district court's decision was not appealable under NRS 177.015(1)(b), NRS 177.015(2), NRS 179.510 or any other statute. *See also State v. Shade*, 110 Nev. 57, 61-63, 867 P.2d 393, 395-96 (1994) (defining "motion to suppress" for purposes of NRS 174.125 and NRS 177.015(2) "as a request for the exclusion of evidence premised upon an allegation that the evidence was illegally obtained," generally in violation of a constitutional right). Appellant initially responded to an order to show cause why the appeal should not be dismissed for lack of jurisdiction, asserting that the district court's decision could be interpreted in a manner that would bring it within NRS 177.015(2). Appellant

subsequently filed a motion to withdraw this appeal. Cause appearing, we grant the motion and

ORDER this appeal DISMISSED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Attorney General/Carson City
Attorney General/Las Vegas
Coyer Law Office
Eighth District Court Clerk