

IN THE SUPREME COURT OF THE STATE OF NEVADA

EARNEST PHILLIPS A/K/A ERNEST
PHILLIPS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 66472

FILED

SEP 25 2014

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

ORDER DISMISSING APPEAL

This is a proper person appeal from an order denying a pretrial petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Our review of this appeal reveals a jurisdictional defect. Specifically, no appeal lies from an order denying a pretrial petition for a writ of habeas corpus. *Gary v. Sheriff*, 96 Nev. 78, 605 P.2d 212 (1980). The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists. *See Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Kathleen E. Delaney, District Judge
Earnest Phillips
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk