

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE APPLICATION
FOR A SEARCH WARRANT

No. 36119

THE STATE OF NEVADA,

Appellant,

vs.

MACK MOORE,

Respondent.

FILED

OCT 02 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY: *Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court granting a motion to return property and to suppress evidence pursuant to NRS 179.085. On May 30, 2000, respondent filed a motion to dismiss this appeal based on a jurisdictional defect. The motion is unopposed. 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 the return of property and suppression of evidence pursuant to NRS 179.085. Accordingly, we

ORDER this appeal dismissed.¹

Young

Young J.

Maupin

Maupin J.

Becker

Becker J.

¹On July 3, 2000, appellant filed a motion for a stay. On July 7, 2000, respondent filed a motion to strike portions of appellant's fast track appendix and to seal portions of the appendix. In light of this order, the motions are denied, as moot.

cc: Hon. Dan L. Papez, District Judge
Nye County District Attorney
Kossack Law Offices
Nye County Clerk