

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID COLVIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69148

FILED

JAN 13 2016

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 presentence motion to disqualify a judge. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

When our initial review of the notice of appeal and documents before this court revealed a potential jurisdictional defect, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, we noted that no statute or court rule provides for an appeal from an order denying a motion to disqualify a judge. *See Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Appellant's response indicates that the motion to disqualify is intertwined with a motion to withdraw a plea. However, appellant does not identify any statute or court rule allowing for an appeal from an order denying a

motion to disqualify a judge. Accordingly, we conclude that we lack jurisdiction over this appeal and

ORDER this appeal DISMISSED.¹

Douglas, J.
Douglas

Cherry, J.
Cherry

Gibbons, J.
Gibbons

cc: Hon. David B. Barker, District Judge
Alan J. Buttell & Associates
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
David Colvin

¹We note that intermediate orders may be reviewed on appeal from a final judgment. NRS 177.045.