

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK JAMES BERWICK,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 69765

**FILED**

**MAR 30 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 request for an honorable discharge from probation. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Our preliminary review of this appeal revealed a jurisdictional defect. Specifically, it appeared that no statute or court rule provides for an appeal from the aforementioned order. *See Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). Therefore, on March 1, 2016, we ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. In response to the show-cause order, appellant's counsel concedes that no statute or court rule provides for the order being challenged on appeal. Because no statute or court rule provides for an appeal from a district court order denying a

request for an honorable discharge from probation, we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Hardesty, J.  
Hardesty

Saitta, J.  
Saitta

Pickering, J.  
Pickering

cc: Hon. Valerie Adair, District Judge  
Clark County Public Defender  
Frank James Berwick  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk