

IN THE SUPREME COURT OF THE STATE OF NEVADA

FERNANDO DIAZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69590

FILED

JUN 03 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a second renewed motion for injunctive relief filed in a criminal matter. Eighth Judicial District Court, Clark County; Kerry Louise Earley, Judge.

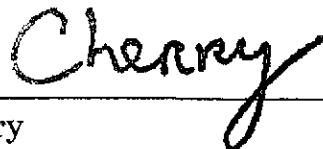
Our preliminary review of this appeal revealed a potential jurisdictional defect. Specifically, it appeared that no statute or court rule provides for an appeal from such an order in a criminal matter and, therefore, no right to appeal exists. *See Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990). Accordingly, we instructed appellant to show cause why this appeal should not be dismissed for lack of jurisdiction.


In his reply to the order to show cause, appellant asserts that this court has jurisdiction over this appeal pursuant to NRAP 3A(b)(8) as an appeal from a special order entered after final judgment. NRAP 3A(b) applies to appealable determinations in civil actions. Thus, appellant's jurisdictional argument in this criminal action is misplaced. Because it

appears that no statute or court rule provides for an appeal from the above-mentioned order in a criminal matter, we

ORDER this appeal DISMISSED.


_____, J.
Douglas


_____, J.
Cherry


_____, J.
Gibbons

cc: Hon. Kerry Louise Earley, District Judge
Law Offices of Mitchell Posin, Chtd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk