

IN THE SUPREME COURT OF THE STATE OF NEVADA

OTIS CHARLES BROWN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72835

FILED

MAY 08 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order denying a “motion to have sentences ran together, concurrent,” denying a motion to correct and/or modify an illegal sentence, denying a motion for counsel, and denying a motion to remove district attorney. Fourth Judicial District Court, Elko County; Nancy L. Porter, Judge.

Our review of this appeal reveals jurisdictional defects. The notice of appeal was untimely filed as it relates to the order denying motion to correct and/or modify an illegal sentence. NRAP 4(b); NRAP 26(a); NRAP 26(c). “[A]n untimely notice of appeal fails to vest jurisdiction in this court.” *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994). Further, no statute or court rule provides for an appeal from district court orders denying a “motion to have sentences ran together, concurrent,” denying a motion for counsel, and denying a motion to remove district attorney. 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, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.¹

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Nancy L. Porter, District Judge
Otis Charles Brown
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk

¹In light of this order, we take no action on the pro se letter filed April 27, 2017.