

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
ANDRE LAMAR LONGMIRE, JR.,
Respondent.

No. 72594

THE STATE OF NEVADA,
Appellant,
vs.
TOYA TINA TALLIE,
Respondent.

No. 72595

THE STATE OF NEVADA,
Appellant,
vs.
STELLA MARIE TALLIE,
Respondent.

No. 72596

FILED

JUL 05 2017

EMMA A. BROWN
CLERK OF THE SUPREME COURT
DEPUTY CLERK

ORDER DISMISSING APPEALS

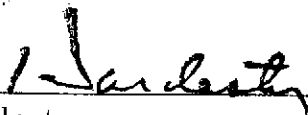
These are state's appeals from district court orders affirming justice court decisions. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

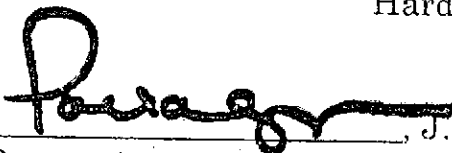
Our preliminary review of these appeals revealed a potential jurisdictional defect. Specifically, respondents' cases arose in the justice court; the justice court dismissed the charges, and the district court denied appellant's motions for leave to file an information by affidavit.

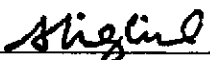
Appellant has responded to our order to show cause and proposes that the district court's denial of the motions should be construed as a final appealable judgment pursuant to NRS 177.015(1)(b), as the functional equivalent of a dismissal.

We disagree. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists. See NRAP 3A(b); *Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990). No statute or court rule provides for an appeal from an order denying a motion to file an information by affidavit. Moreover, the district court has final appellate jurisdiction over cases arising in the justice court. Nev. Const. art. 6, § 6; *Tripp v. City of Sparks*, 92 Nev. 362, 363, 550 P.2d 419, 419 (1976); *Waugh v. Casazza*, 85 Nev. 520, 521, 458 P.2d 359, 360 (1969). We conclude that we lack jurisdiction, and we

ORDER these appeals DISMISSED.


Hardesty, J.


Parraguire, J.


Stiglich, J.

cc: Hon. Kimberly A. Wanker, District Judge
Attorney General/Carson City
Nye County District Attorney
Mountain West Lawyers
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David Ricket
Harry R. Gensler
Andre Lamar Longmire, Jr.
Toya Tina Tallie
Stella Marie Tallie
Nye County Clerk