

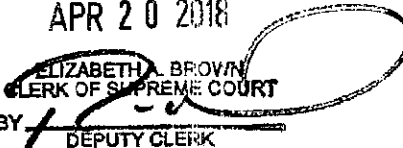
IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC JORELL MATHIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75514

FILED

APR 20 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

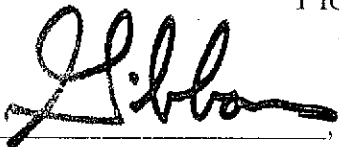
ORDER DISMISSING APPEAL


This is a pro se appeal from a district court order denying appellant's pretrial petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

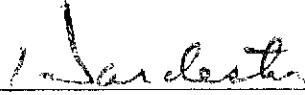
This court's review of this appeal reveals a jurisdictional defect. Specifically, no appeal lies from an order denying a pretrial petition for a writ of habeas corpus. *Gary v. Sheriff*, 96 Nev. 78, 605 P.2d 212 (1980) (order denying pretrial habeas relief is an intermediate order that may be challenged in a timely appeal from a judgment of conviction); *see also* NRS 34.575(2); *Sheriff v. Gillock*, 112 Nev. 213, 912 P.2d 274 (1996) (the State may appeal from a district court order granting in part and denying in part a pretrial petition for a writ of habeas corpus). The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to

appeal exists. *See Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Pickering


_____, J.
Hardesty

cc: Hon. Kathleen M. Drakulich, District Judge
Eric Jorell Mathis
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk