

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHNNY WAYNE COLLINS,

No. 36679

Appellant,

vs.

FILED

THE STATE OF NEVADA,

OCT 02 2000

Respondent.

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Bloom*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying appellant's "motion to see if the State has waived the exhaustion requirement." Our review of this appeal reveals a jurisdictional defect. 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, 792 P.2d 1133 (1990). No statute or court rule provides for an appeal from an order of the district court denying a "motion to see if the State has waived the exhaustion requirement." Accordingly, we

ORDER this appeal dismissed.

Young J.

Young
Maupin J.

Maupin
Becker J.

Becker

cc: Hon. Kathy A. Hardcastle, District Judge
Attorney General
Clark County District Attorney
Johnny Wayne Collins
Clark County Clerk