

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT DEAN WILDER,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 36711

FILED

NOV 22 2000

[Signature]
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court denying appellant's motion to reconsider. Our preliminary review of this appeal revealed a potential jurisdictional defect. Specifically, 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, 792 P.2d 1133 (1990). No statute or court rule provides for an appeal from an order denying a motion to reconsider.

Accordingly, on September 26, 2000, this court ordered counsel for appellant to show cause why this appeal should not be dismissed. On October 17, 2000, counsel filed a response. In the response, counsel for appellant concedes that this is an appeal from an order denying a motion to reconsider. Such an order is not appealable. Moreover, we note that the notice of appeal was not timely filed from the district court's order which appellant was seeking to have reconsidered. Accordingly, we conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal dismissed.¹

Rose
_____, C.J.
Rose

Young
_____, J.
Young

Becker
_____, J.
Becker

¹On October 11, 2000, counsel for appellant filed a motion for an extension of time in which to file the fast track statement in this appeal. The motion is denied as moot.

cc: Hon. Connie J. Steinheimer, District Judge
Attorney General
Washoe County District Attorney
Mary Kandaras
Washoe County Clerk