

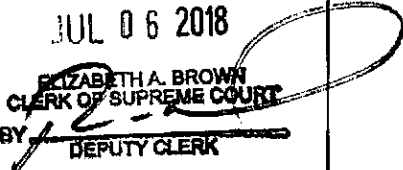
IN THE SUPREME COURT OF THE STATE OF NEVADA

MARKIECE PALMER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 76094

**FILED**

JUL 06 2018


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK


*ORDER DISMISSING APPEAL*

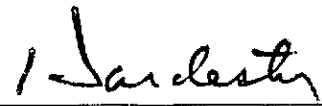
This is a pro se appeal from a “decision to treat the Defendants motion entitled “motion to suppress” as a petition for writ of habeas corpus.” Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

This court’s review of this appeal reveals a jurisdictional defect. Specifically, no statute or court rule provides for an appeal from a district court decision construing a motion to suppress as a postconviction habeas petition. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). To the extent that appellant appeals from the district court decision denying the resulting postconviction petition for a writ of habeas corpus entered on July 18, 2016, the notice of appeal was untimely filed. *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (an untimely notice of appeal fails to vest jurisdiction in this court). Accordingly, we conclude that we lack jurisdiction, and we

ORDER this appeal DISMISSED.

 J.  
Pickering

 J.  
Gibbons

 J.  
Hardesty

cc: Hon. William D. Kephart, District Judge  
Markiece Palmer  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk