

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES HOWARD HAYES, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77151

FILED

DEC 12 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from an order of the district court denying appellant's pretrial petition for writ of habeas corpus. Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

Our 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). 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.

Cherry, J.
Cherry

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. William D. Kephart, District Judge
James Howard Hayes, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk