

IN THE SUPREME COURT OF THE STATE OF NEVADA

CESAR ALEJANDRO CLEMENTE-
PEREZ,

Appellant,


vs.

THE STATE OF NEVADA,
Respondent.

No. 79153

FILED

AUG 06 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This appeal was initiated by the filing of a pro se notice of appeal. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

Appellant filed a notice of appeal on July 1, 2019.¹ In his notice of appeal, appellant states that he is challenging an order denying rehearing. Review of the district court docket entries does not indicate that any appealable order has been entered since the entry of the judgment of conviction on May 18, 2017. To the extent that appellant appeals from the order denying rehearing entered by the Court of Appeals in Docket No. 74256-COA, no statute or court rule provides for an appeal from such an order. *See* NRAP 40B(a) (“A decision of the Court of Appeals is a final decision that is not reviewable by the Supreme Court except on petition for review.”); *Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal,

¹The notice of appeal was received in this court on May 20, 2019. A notice of appeal that is mistakenly filed in the Supreme Court shall be considered filed in the district court on the date so noted. NRAP 4(e).

no right to appeal exists). To the extent that the document can be construed as a petition for review of the Court of Appeals order, it was untimely filed. See NRAP 40B(c). Accordingly, this court

ORDERS this appeal DISMISSED.

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Silver, J.
Silver

cc: Hon. Kimberly A. Wanker, District Judge
Cesar Alejandro Clemente-Perez
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk