

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID STANLEY DAVIS,

No. 37128

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

JAN 23 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court granting in part a motion to preserve certain evidence. 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. *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 granting in part a motion to preserve evidence. Accordingly, we

ORDER this appeal dismissed.

[Signature] J.
Shearing
[Signature] J.
Agosti
[Signature] J.
Leavitt

cc: Hon. Sally L. Loehrer, District Judge
Attorney General
Clark County District Attorney
David Stanley Davis
Clark County Clerk