

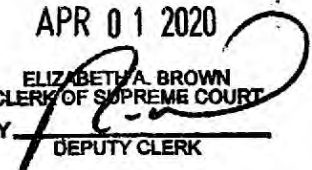
IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE LESLIE VONTRESS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 80623

FILED

APR 01 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL


This is a pro se appeal from a judgment of conviction and an order denying a presentence motion for a new trial. Eighth Judicial District Court, Clark County; Mary Kay Holthus, Judge.

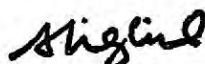
This court's review of this appeal reveals jurisdictional defects. First, appellant's appeal from the judgment of conviction entered on June 15, 2012, was untimely filed. *See* NRAP 4(b); *Lozada v. State*, 110 Nev. 349, 871 P.2d 944 (1994) (an untimely notice of appeal fails to vest jurisdiction in this court). Second, appellant has previously appealed this order. *See Vontress v. State*, Docket No. 62057 (Order Dismissing Appeal, March 13, 2014). A second duplicate appeal may not be pursued. Lastly, no statute or court rule provides for an appeal from an order denying a presentence motion for a new trial.¹ *See Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990) (the right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists); *State v. Lewis*, 124 Nev.

¹Appellant's motion for a new trial was orally denied on February 28, 2012, prior to the district court's imposition of sentence. However, the written order memorializing the district court's decision was not entered until February 5, 2020.

132, 178 P.3d 146 (2008) (holding that “an order that is entered before a judgment of conviction, such as an order granting a presentence motion to withdraw a guilty plea, is intermediate and therefore not generally a final, appealable determination”). Accordingly, this court lacks jurisdiction to consider this appeal, and

ORDERS this appeal DISMISSED.


_____, J.
Gibbons


_____, J.
Stiglich


_____, J.
Silver

cc: Hon. Mary Kay Holthus, District Judge
George Leslie Vontress
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk