

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT ERIC BROWN,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 37619

FILED

DEC 10 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

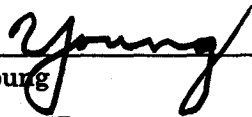
This is a proper person appeal from an order of the district court denying appellant's proper person motion for relief from a judgment or order. In the motion below, appellant challenged the district court's findings of fact and conclusions of law denying wherein the district court denied appellant's proper person post-conviction petition for a writ of habeas corpus. 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.¹ No statute or court rule provides for an appeal from an order denying a motion for relief from an order of the district court denying a post-conviction petition for a writ of habeas corpus. Moreover, to the extent that appellant wishes to challenge the district court's findings and decision to deny his post-conviction petition,

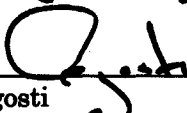
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).


we note that an appeal from that order is currently pending in this court.²

Accordingly, we

ORDER this appeal DISMISSED.³


_____. J.
Young


_____. J.
Agosti


_____. J.
Leavitt

cc: Hon. Valorie Vega, District Judge
Attorney General/Carson City
Clark County District Attorney
Robert Eric Brown
Clark County Clerk

²Brown v. State, Docket No. 36976.

³We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.