

IN THE SUPREME COURT OF THE STATE OF NEVADA

DUANE DECASTRO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 84256

FILED

MAR 04 2022

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

ORDER DISMISSING APPEAL

This is a pro se appeal from a district court order denying a pretrial petition for a writ of habeas corpus. First Judicial District Court, Carson City; James Todd Russell, Judge.

This court's 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) (order denying pretrial habeas relief is an intermediate order that may be challenged in a timely appeal from the judgment of conviction); *Sheriff v. Gillock*, 112 Nev. 213, 912 P.2d 274 (1996) (only the State may appeal from a district court order granting in part and denying in part a pretrial petition for a writ of habeas corpus). Accordingly, this court

ORDERS this appeal DISMISSED.

Silver, J.
Silver

Cadish, J.
Cadish

Pickering, J.
Pickering

cc: Hon. James Todd Russell, District Judge
Duane Decastro
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk
Justin K. Champagne