

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL RONALD STENNER,

Appellant,

vs.

DALE JONES,

Respondent.

No. 38021

FILED

JUL 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 a district court order denying appellant's motion to expedite medical examinations.

In August 2000, appellant filed a civil rights complaint in the district court. Appellant is incarcerated in the Nevada Department of Prisons, and is proceeding in forma pauperis in the district court. On February 26, 2001, appellant filed a motion to expedite medical examinations. In the motion, appellant requested permission to have tests performed at a hospital outside of the Nevada Department of Prisons, and asked that the costs for the tests be allocated to the state on the basis that he had been granted leave to proceed in forma pauperis under NRS 12.015. On May 4, 2001, the district court denied appellant's motion. At the time appellant appealed from the district court's order, the district court had not finally resolved appellant's civil rights complaint.

The right to appeal is statutory; if no statute or court rule provides for an appeal, no right to appeal exists.¹

¹See Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984); Kokkos v. Tsalikis, 91 Nev. 24, 530 P.2d 756 (1975).

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No statute or rule provides for an appeal from an interlocutory order denying a motion to expedite a medical examination.² Accordingly, as we lack jurisdiction, we

ORDER this appeal DISMISSED.

Young J.
Young
Leavitt J.
Leavitt
Becker J.
Becker

cc: Hon. Steve L. Dobrescu, District Judge
Attorney General
Daniel Ronald Stenner
White Pine County Clerk

²See NRAP 3A(b) (stating that an appeal may be taken from a final judgment).