

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROGER ERIC SCOTT,

No. 38206

Appellant,

**FILED**

vs.

AUG 24 2001

THE STATE OF NEVADA,


BY   
DEPUTY CLERK

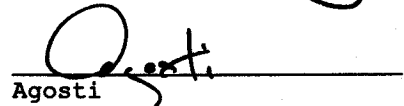
Respondent.

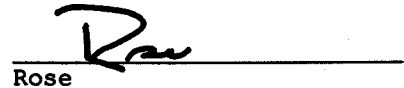
ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying appellant's motion to dismiss and a decision to deny appellant's motion to suppress. 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.<sup>1</sup> No statute or court rule provides for an independent appeal from an order of the district court denying a motion to dismiss and a decision to deny a motion to suppress.<sup>2</sup> Accordingly, we

ORDER this appeal DISMISSED.<sup>3</sup>

  
Shearing J.

  
Agosti J.

  
Rose J.

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

<sup>2</sup>See NRS 177.015(3) ("The defendant only may appeal from a final judgment or verdict in a criminal case.") (emphasis added); compare NRS 177.045 ("Upon the appeal, any decision of the court in an intermediate order or proceeding, forming a part of the record, may be reviewed.").

We further note that this court has previously dismissed for lack of jurisdiction an appeal from the order of the district court denying the motion to dismiss. See Scott v. State, Docket No. 35597 (Order Dismissing Appeal, March 23, 2000).

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

cc: Hon. John S. McGroarty, District Judge  
Attorney General  
Clark County District Attorney  
Roger Eric Scott  
Clark County Clerk