

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 38225

FILED

AUG 30 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 motions for other jury instructions, motion to suppress evidence, motion for psychological examination of all child witnesses to include victim, and pre-trial 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 independent appeal from an order of the district court denying a motion for other jury instructions, motion to suppress evidence, motion for

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

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psychological examination, and pre-trial petition for a writ of habeas corpus.² Accordingly, we

ORDER this appeal DISMISSED.³

Young, J.
Young

Leavitt, J.
Leavitt

Becker, J.
Becker

cc: Hon. Donald M. Mosley, District Judge
Attorney General
Clark County District Attorney
Felton L. Matthews, Jr.
Clark County Clerk

²See NRS 177.015(3) ("The defendant only may appeal from a final judgment or verdict in a criminal case."); 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."); see also Gary v. Sheriff, 96 Nev. 78, 605 P.2d 212 (1980) (holding that no appeal lies from an order denying a pretrial petition for a writ of habeas corpus).

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