IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD CROOKS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 89164

ORDER DISMISSING APPEAL

This is an appeal from an order dishonorably discharging appellant from probation. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

Because no statute or court rule provides for an appeal from an order dishonorably discharging a probationer from probation, this court entered an order directing appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (explaining that the right to appeal does not exist absent a statute or court rule authorizing the appeal). Appellant and respondent have both timely responded to our order.

Appellant appears to concede that no statute or court rule authorizes the appeal, as addressed by caselaw, but nevertheless urges this court to reconsider the matter based on the changing statutory framework of probation, pointing out that, here, the dishonorable discharge results in appellant suffering felon, rather than misdemeanant, status and affects his ability to restore his rights. In response, respondent emphasizes that no authority exists for such an appeal.

NRS 177.015(3) permits a defendant to appeal from a "final judgment or verdict" but does not contemplate appeals from postconviction

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orders. Further, while other statutes address the appealability of postconviction remedies, none of those statutes provides for an appeal from an order dishonorably discharging a probationer. As no statute or court rule provides for an appeal from a district court order dishonorably discharging a probationer, we

ORDER this appeal DISMISSED.

_____, J.
Stiglich

_____, J.
Pickering

_____, J.
Parraguirre

cc: Hon. Erika D. Ballou, District Judge
       Legal Resource Group
       Attorney General/Carson City
       Clark County District Attorney
       Eighth District Court Clerk