

IN THE SUPREME COURT OF THE STATE OF NEVADA

MADELEINE L. MORRISON,
Appellant,
vs.
MARISA RAHAS AND GEORGIA
RAHAS,
Respondents.

No. 38890

FILED

JUL 05 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK


ORDER DISMISSING APPEAL

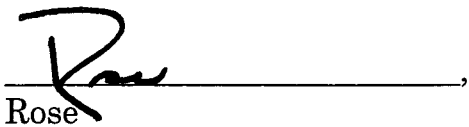
This is a proper person appeal from an order canceling a lis pendens and an order granting a writ of restitution. Respondents have filed a motion to dismiss this appeal for lack of jurisdiction, arguing that the appeal is only from the order granting a writ of restitution, and that the notice of appeal was untimely as to this order.

The notice of appeal clearly includes both orders. We nevertheless conclude that we lack jurisdiction over this appeal, and so grant the motion. First, the notice of appeal from the order granting a writ of restitution was untimely. NRS 40.380 requires that a notice of appeal from a writ of restitution must be filed within ten days after entry of the order. Here, the notice of appeal was not filed until the twenty-sixth day. Second, the right to appeal is statutory; if no statute or court rule

provides for an appeal, no right to appeal exists.¹ No rule or statute provides for an appeal from an order canceling a lis pendens. Accordingly, we grant respondents' motion and

ORDER this appeal DISMISSED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Nancy M. Saitta, District Judge
Madeleine L. Morrison
Swanson-Flangas, L.L.C.
Clark County Clerk

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).