

IN THE SUPREME COURT OF THE STATE OF NEVADA

SPENCER ROY HOWARD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 39025

FILED

MAR 29 2002

ORDER DISMISSING APPEAL

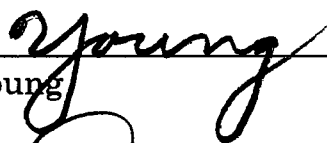
JANETIE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK


This is an appeal from an order of the district court setting bail. Our review of this appeal revealed a potential jurisdictional defect. Specifically, 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 appeal from an order setting bail. Accordingly, on February 20, 2002, this court ordered appellant's counsel to show cause why this appeal should not be dismissed.


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

On March 4, 2002, counsel filed a response to this court's order. In the response, counsel concedes that an order setting bail is not appealable. We therefore conclude that we lack jurisdiction, and we ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Young

  
\_\_\_\_\_, J.  
Agosti

  
\_\_\_\_\_, J.  
Leavitt

cc: Hon. John S. McGroarty, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Clark County Public Defender  
Clark County Clerk