

IN THE SUPREME COURT OF THE STATE OF NEVADA

SAMUEL BROOKSHER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39042

FILED

MAR 27 2002

ORDER DISMISSING APPEAL


JANE TTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

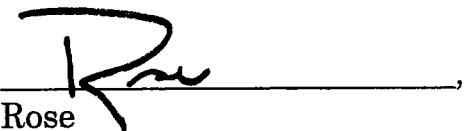
This is an appeal from an order of the district court denying appellant's motion to dismiss. Our review of this appeal reveals a potential jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.¹ No statute or court rule provides for an appeal from an order denying a motion to dismiss. On February 5, 2002, this court ordered counsel for appellant to show cause why this appeal should not be dismissed. On March 7, 2002 counsel for appellant filed a response to this court's order.


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

In the response, counsel concedes that this court lacks jurisdiction to entertain this appeal. Accordingly, we

ORDER this appeal DISMISSED.


Shearing, J.


Rose, J.


Becker, J.

cc: Hon. Connie J. Steinheimer, District Judge
M. Jerome Wright
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk