

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE KIM MITCHELL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 39059

FILED

MAR 13 2002

ORDER DISMISSING APPEAL

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

This is a proper person appeal from a decision of the district court to deny appellant's motion to transfer case. 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.<sup>1</sup> No statute or court rule provides for an appeal from a decision to deny a motion to transfer case.<sup>2</sup> Accordingly, we

ORDER this appeal DISMISSED.

*Young*, J.  
Young  
*Agosti*, J.  
Agosti  
*Leavitt*, J.  
Leavitt

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

<sup>2</sup>See NRS 177.015 (providing that a defendant may appeal from a final judgment); NRS 177.045 (providing that in a direct appeal "any decision of the court in an intermediate order or proceeding, forming a part of the record, may be reviewed.").

cc: Hon. Donald M. Mosley, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
George Kim Mitchell  
Clark County Clerk