

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,  
Appellant,  
vs.  
MARSHALL SYLVER,  
Respondent.

No. 39108

**FILED**

**MAR 14 2002**

ORDER DISMISSING APPEAL

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

This is an appeal from an order of the district court denying a motion for a protective order. 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 such an order. Accordingly, we

ORDER this appeal DISMISSED.<sup>2</sup>

Shearing J.  
Shearing

Rose J.  
Rose

Becker J.  
Becker

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

<sup>2</sup>On February 13, 2002, the State filed a motion for a stay of the district court's order pending this appeal. In light of our disposition, the motion is denied. Moreover, the State has failed to demonstrate that a stay of the district court's order is warranted.

cc: Hon. Mark W. Gibbons, District Judge  
Attorney General/Carson City  
Attorney General/Las Vegas  
Patti & Sgro  
Clark County Clerk