

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN LAMAR BROWN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39653

FILED

APR 28 2003

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order denying appellant's notice for a hearing on a motion for order to return seized property. 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.¹ No statute or court rule provides for an appeal from an order denying a notice for a hearing on a motion for order to return seized property.² Accordingly, we

ORDER this appeal DISMISSED.

Shearing, J.
Shearing

Leavitt, J.
Leavitt

Becker, J.
Becker

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

²To the extent that appellant seeks to appeal from the denial of his motion for return of seized property, this court lacks jurisdiction to consider the appeal because the notice of appeal was untimely filed. See NRAP 4(b); Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994).

cc: Hon. Connie J. Steinheimer, District Judge
Brian Lamar Brown
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk