

IN THE SUPREME COURT OF THE STATE OF NEVADA

BROCK WADE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 39679

FILED

SEP 20 2002

ORDER DISMISSING APPEAL

JAMES H. HUGHES  
CLERK OF SUPREME COURT  
BY J. Richard  
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying appellant's motion for extension of time to file a post-conviction petition for a writ of habeas corpus. 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 an order denying a motion for extension of time to file a habeas corpus petition. Accordingly, we

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

Shearing, J.  
Shearing

Leavitt, J.  
Leavitt

Becker, J.  
Becker

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

<sup>2</sup>We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted. We deny as moot appellant's request to withdraw his appeal.

cc: Hon. Joseph T. Bonaventure, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Brock Wade  
Clark County Clerk