

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 39724

FILED

OCT 08 2002

ORDER DISMISSING APPEAL

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


This is an appeal from an order of the district court denying appellant's pre-trial petition for a writ of habeas corpus. Our review of this appeal revealed 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 a pre-trial petition for a writ of habeas corpus.

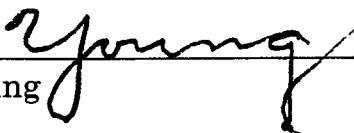
Accordingly, on August 9, 2002, this court ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. Counsel has failed to respond to the order to show cause. We

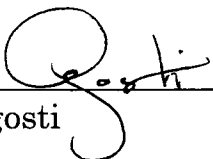
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

therefore conclude that we lack jurisdiction to entertain this appeal, and
we

ORDER this appeal DISMISSED.


_____, J.
Rose


_____, J.
Young


_____, J.
Agosti

cc: Hon. Donald M. Mosley, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Clark County Clerk