

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEROY ROOSEVELT MACK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39756

FILED

JUL 30 2002

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 of the district court denying appellant's "motion to have counsel dismissed and request calendar date set for motion to withdraw plea of guilty and invoke right to jury trial." 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 The district court found that appellant's motion was a request for rehearing.² No statute or court rule provides for an appeal from an order of the district court denying a request for rehearing.³ Accordingly, we

ORDER this appeal DISMISSED.

Shearing J.
Shearing

Rose J.
Rose

Becker J.
Becker

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

²The documents before this court indicate that the district court had previously denied a motion to withdraw a guilty plea.

³Phelps v. State, 111 Nev. 1021, 900 P.2d 344 (1995).

cc: Hon. Joseph T. Bonaventure, District Judge
Attorney General/Carson City
Clark County District Attorney
Leroy Roosevelt Mack
Clark County Clerk