IN THE SUPREME COURT OF THE STATE OF NEVADA

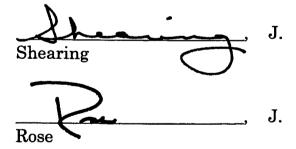
LEROY ROOSEVELT MACK, Appellant, vs. THE STATE OF NEVADA, Respondent. No. 39756

JUL 30 2002

ORDER DISMISSING APPEAL

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.



J. Becke

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.

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

Supreme Court of Nevada

(O) 1947A

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