

IN THE SUPREME COURT OF THE STATE OF NEVADA

PATRICK MCKENDRICK,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 39865

FILED

AUG 21 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 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 of the district court denying a motion for extension of time to file a post-conviction petition for a writ of habeas corpus. Accordingly, we

ORDER this appeal DISMISSED.

*Young* \_\_\_\_\_, J.  
Young

*Agosti* \_\_\_\_\_, J.  
Agosti

*Leavitt* \_\_\_\_\_, J.  
Leavitt

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

cc: Hon. Steven R. Kosach, District Judge  
Attorney General/Carson City  
Washoe County District Attorney  
Patrick McKendrick  
Washoe District Court Clerk