

IN THE SUPREME COURT OF THE STATE OF NEVADA

J. BENJAMIN ODOMS A/K/A JOHN  
BENJAMIN ODOM,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 40151

SEP 26 2002

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ORDER DISMISSING APPEAL

JANETTE L. COOK  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

This is a proper person appeal from a decision of the district court denying appellant's motion to vacate court order. 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 a decision of the district court denying a motion to vacate court order. Accordingly, we

ORDER this appeal DISMISSED.

*Shearing* J.  
Shearing

*Leavitt* J.  
Leavitt

*Becker* J.  
Becker

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

cc: Hon. Lee A. Gates, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
J. Benjamin Odoms  
Clark County Clerk