

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH WALKER A/K/A KENNETH  
SAMUEL WALKER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 40198

FILED

DEC 04 2002

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

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court denying appellant's pretrial petition for a writ of habeas corpus. Our review of this appeal revealed a potential 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 denying a pretrial habeas corpus petition. Accordingly, on October 9, 2002, this court ordered counsel for appellant to show cause why this appeal should not be dismissed. Appellant's counsel has failed to respond.


---

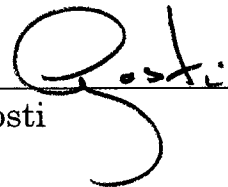
<sup>1</sup>Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

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

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, C.J.  
Young

  
\_\_\_\_\_, J.  
Rose

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

cc: Hon. Michael L. Douglas, District Judge  
Scott B. Olifant  
Attorney General/Carson City  
Clark County District Attorney  
Clark County Clerk