

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID A. JOYCE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40330

FILED
CLERK OF SUPREME COURT

OCT 28 2002

ORDER DISMISSING APPEAL


JAMES F. BLOOM
CLERK OF SUPREME COURT
BY *J. Ribaud*
CHIEF DEPUTY CLERK

Appellant purports to appeal in proper person from a decision of the district court entered on September 25, 2002, dismissing his motion to withdraw a guilty plea. This court's review of this appeal reveals a jurisdictional defect. The documents before this court reveal that the district court did not enter a decision on September 25, 2002, dismissing a motion to withdraw a guilty plea. Rather on September 17, 2002, the district court entered a decision denying appellant's motion for production of final order denying a motion to withdraw a guilty plea. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.¹ No statute or court rule provides for an appeal from a decision of the district court denying a motion for production of

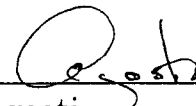
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

final order denying a motion to withdraw a guilty plea. Accordingly, because appellant failed to designate an appealable order, we

ORDER this appeal DISMISSED.²


_____, J.
Rose


_____, J.
Young


_____, J.
Agosti

cc: Hon. Valorie Vega, District Judge
Attorney General/Carson City
Clark County District Attorney
David A. Joyce
Clark County Clerk

²We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.