

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 40549

FILED

DEC 17 2002

ORDER DISMISSING APPEAL

STATE OF NEVADA
CLERK OF SUPREME COURT
J. Becker
CLERK

This is a proper person appeal from a decision of the district court denying appellant's presentence motion to withdraw a guilty plea. 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 No statute or court rule provides for an independent appeal from a decision of the district court denying a presentence motion to withdraw a guilty plea.² Accordingly, we

ORDER this appeal DISMISSED.³

Shearing J.
Shearing

Leavitt J.
Leavitt

Becker J.
Becker

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

²NRS 177.015(3); NRS 177.045.

³We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

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