

IN THE SUPREME COURT OF THE STATE OF NEVADA

WAYNE DOUGLAS SMITH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40603

FILED

DEC 23 2002

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order of the district court denying appellant's motion for reconsideration. 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 appeal from an order of the district court denying a motion for reconsideration.² Accordingly, we ORDER this appeal DISMISSED.

Shearing

Shearing, J.

Leavitt

Leavitt, J.

Becker

Becker, J.

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

²Phelps v. State, 111 Nev. 1021, 900 P.2d 344 (1995).

cc: Hon. Jerome Polaha, District Judge
Attorney General/Carson City
Washoe County District Attorney
Wayne Douglas Smith
Washoe District Court Clerk