

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN MATHEW VERA A/K/A JOHN
MATTHEW VERA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40771

FILED

MAR 03 2003

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order of the district court denying appellant's motion for submission for decision on post-conviction petition for a writ of habeas corpus. 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 the aforementioned motion.


To the extent that appellant seeks to appeal the denial of his habeas corpus petition, this appeal is premature. The documents before this court indicate that the district court has not entered a final decision, oral or written, on appellant's petition. We dismiss this appeal without prejudice to appellant's right to appeal from a final, written order of the district court denying his petition. We are confident that the district court

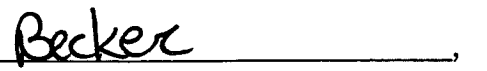
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

will resolve all pending matters as the court's calendar permits.
Accordingly, we

ORDER this appeal DISMISSED.²

 J.
Shearing

 J.
Leavitt

 J.
Becker

cc: Hon. Michael L. Douglas, District Judge
John Mathew Vera
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
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.