

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN NOWELL A/K/A BRYAN
NOWELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40772

FILED

MAR 20 2003

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

ORDER DISMISSING APPEAL


This is an appeal from an order of the district court vacating a prior order granting a motion to transport appellant to the Indian Springs Conservation Camp. 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.¹ No statute or court rule provides for an appeal from an order vacating an order granting a motion to transport.


Accordingly, on January 16, 2003, this court ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. On February 3, 2003, counsel filed a response to this court's order. In the response, counsel concedes that no statute or court rule provides for an appeal from an order vacating an order granting a

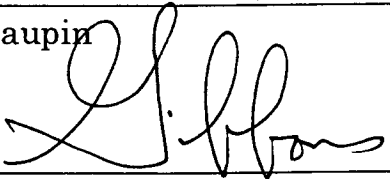
¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

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

ORDER this appeal DISMISSED.²


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. John S. McGroarty, District Judge
Brian Nowell
William J. Taylor
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.