

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
ROBERT LEE MCCONNELL,
Respondent.

No. 40784

FILED

MAR 06 2003

ORDER DISMISSING APPEAL

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


This is an appeal from an order of the district court granting respondent's motion to suppress evidence. NRS 177.015(2) authorizes such an appeal, but the statute contemplates that the State must make a preliminary showing of good cause why this court should entertain the appeal.


On January 22, 2003, the State filed a Brief in Support of Good Cause for Appeal to make a preliminary showing of the propriety of this appeal, and on February 14, 2003, respondent filed a brief in opposition. Having considered the documents filed, we conclude that the State has failed to make a preliminary showing of good cause why this

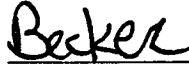
court should entertain this appeal. Accordingly, we


ORDER this appeal DISMISSED.¹

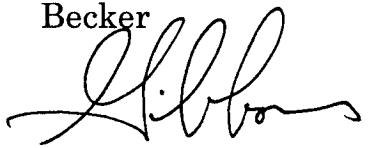

_____, J.
Shearing


_____, J.
Rose


_____, J.
Leavitt


_____, J.
Becker


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. Steven R. Kosach, District Judge
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe County Public Defender
Washoe District Court Clerk

¹The Honorable Deborah A. Agosti, Chief Justice, voluntarily recused herself from the decision of this matter.