

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD G. BURT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40843

FILED

FEB 05 2003

ORDER DISMISSING APPEAL


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

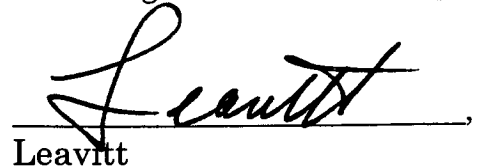
This is a proper person appeal from an order of the district court denying appellant's motion for a Post Department Manual.¹ Our review of this appeal reveals a jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to

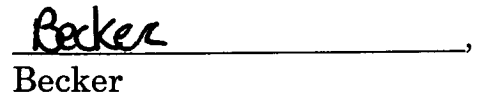
¹When this appeal was docketed, it appeared that appellant was represented by attorney Garrett T. Ogata. Upon further review, it has become apparent that appellant was acting in proper person in the district court, with Ogata as standby counsel. Accordingly, this appeal is not subject to the provisions of NRAP 3C, and the parties should disregard the fast track notice previously sent by this court.

appeal exists.² No statute or court rule provides for an appeal from an order denying a motion for a Post Department Manual. Accordingly, we

ORDER this appeal DISMISSED.²

 J.
Shearing

 J.
Leavitt

 J.
Becker

cc: Hon. Michael L. Douglas, District Judge
Richard G. Burt
Garrett T. Ogata
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

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

²We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.