

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONALD LEO SJOLSETH,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 41098

FILED

APR 25 2003

JANET M. DEWITT  
CLERK OF SUPREME COURT  
*J. Castillo*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying appellant's pretrial motion to dismiss counsel and to appoint alternate counsel in ongoing criminal proceedings below.<sup>1</sup> This court's 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.<sup>2</sup> No statute or court rule provides for an interlocutory appeal from a pretrial order denying a motion to dismiss and appoint alternate counsel. Accordingly, we lack jurisdiction to consider this appeal, and we hereby ORDER this appeal DISMISSED without prejudice to appellant's right to appeal from a final judgment of conviction.

*Rose*, J.  
Rose

*Maupin*, J.  
Maupin

*Gibbons*, J.  
Gibbons

<sup>1</sup>We note that appellant filed his notice of appeal on March 7, 2003, prior to the commencement of his trial.

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

cc: Hon. Donald M. Mosley, District Judge  
Sciscento & Montgomery  
Donald Leo Sjoleth  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk