

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIK FLORES-GONZALEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 41968

FILED

OCT 07 2003

ORDER DISMISSING APPEAL

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


This is an appeal from an order of the district court denying appellant's motion to suppress. Our review of this appeal revealed a jurisdictional defect. Specifically, 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 denying a motion to suppress.


Accordingly, on September 8, 2003, this court ordered appellant's counsel to show cause why this appeal should not be dismissed. On September 18, 2003, counsel filed a response in which counsel conceded that the notice of appeal was prematurely filed. Counsel further


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

requested that this appeal be withdrawn. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.


_____, J.
Becker


_____, J.
Shearing


_____, J.
Gibbons

cc: Hon. Andrew J. Puccinelli, District Judge
Marvel & Kump, Ltd.
Attorney General Brian Sandoval/Carson City
Elko County District Attorney
Elko County Clerk