

IN THE SUPREME COURT OF THE STATE OF NEVADA

HARVEY DEANDRE MCDANIEL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 41979

FILED

SEP 22 2003

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order of the district court denying appellant's pretrial petition for a writ of habeas corpus. 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 appeal exists.<sup>1</sup> No statute or court rule provides for an appeal from the denial of a pretrial habeas petition. Accordingly, we

ORDER this appeal DISMISSED.

Rose, J.  
Rose

Leavitt, J.  
Leavitt

Maupin, J.  
Maupin

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

cc: Hon. David Wall, District Judge  
Kevin V. Williams  
Harvey Deandre McDaniel  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk