

IN THE SUPREME COURT OF THE STATE OF NEVADA

REBECCA LYNNE RHODES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 42326

FILED

JAN 27 2004

ORDER DISMISSING APPEAL

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

This is an appeal from an order of the district court denying appellant's motion to suppress. Our preliminary review of this appeal revealed a potential jurisdictional defect. 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 November 18, 2003, this court ordered appellant's counsel to show cause why this appeal should not be dismissed. On January 5, 2004, counsel for appellant filed a response in which he

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

concedes that there is no right to appeal from an order denying a motion to suppress. We therefore conclude that we lack jurisdiction to entertain this appeal, and we

ORDER this appeal DISMISSED.

Becker, J.
Becker

Agosti, J.
Agosti

Gibbons, J.
Gibbons

cc: Hon. John M. Iroz, District Judge
Belanger & Plimpton
Attorney General Brian Sandoval/Carson City
Pershing County District Attorney
Pershing County Clerk