

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN TOLE MOXLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 42447

FILED

JAN 21 2004

ORDER DISMISSING APPEAL

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

This is a proper person appeal from an order of the district court denying a pretrial motion for an expanded evidentiary hearing and ordering that there is no legally enforceable plea agreement. 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.¹ No statute or court rule provides for an appeal from an order such as the one in this appeal. Accordingly, we

ORDER this appeal DISMISSED.²

Shearing C.J.
Shearing

Rose J.
Rose

Maupin J.
Maupin

¹Castillo 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.

cc: Hon. John S. McGroarty, District Judge
John Tole Moxley
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk