

IN THE SUPREME COURT OF THE STATE OF NEVADA

TIMOTHY ALAN FONSECA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 42607

**FILED**

FEB 11 2004

ORDER DISMISSING APPEAL

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

This is a proper person appeal from decisions of the district court denying appellant's petition for transcripts at state expense and motion for leave to file a motion for rehearing. 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 the aforementioned petition and motion. Accordingly, we

ORDER this appeal DISMISSED.

*Shearing*, C.J.  
Shearing

*Rose*, J.  
Rose

*Maupin*, J.  
Maupin

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

cc: Hon. Jackie Glass, District Judge  
Timothy Alan Fonseca  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk