

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRY L. ADKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46302

FILED

MAY 10 2006

ORDER DISMISSING APPEAL

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

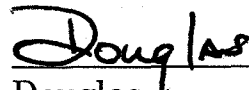
This is an appeal from an order of the district court denying appellant's motion to stay transport. Eighth Judicial District Court, Clark County; Miriam Shearing, Judge.

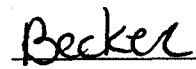
When this appeal was docketed, this court construed the notice of appeal as being from the judgment of conviction, and ordered appellant's counsel Joseph S. Sciscento to file various documents on appellant's behalf pursuant to NRAP 3C. On March 27, 2006, Sciscento filed a motion to dismiss this appeal. As Sciscento points out, appellant clearly stated in his notice of appeal that he was appealing from the "adverse ruling on motion to stay transport rendered on Nov 14th 2005."


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 stay transport.

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

Moreover, it appears that appellant has already been transported and this appeal is therefore moot. Accordingly, we grant Sciscento's motion and we ORDER this appeal DISMISSED.

 _____, J.
Douglas

 _____, J.
Becker

 _____, J.
Parraguirre

cc: Honorable Miriam Shearing, Senior Justice
Chief Judge, Eighth Judicial District Court
Sciscento & Montgomery
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
Terry L. Adkins