

IN THE SUPREME COURT OF THE STATE OF NEVADA

KATARIO MILLER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 65346

FILED

JUN 02 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a pretrial petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Carolyn Ellsworth, Judge.

Because no statute or court rule appeared to provide an appeal from such an order, *see Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990) (where no statute or court rule provides for an appeal, no right to appeal exists), and the notice of appeal was not timely filed from the judgment of conviction, *see NRS 177.045* (permitting a challenge to an interlocutory order on appeal from the judgment of conviction); *Lozada v. State*, 110 Nev. 349, 352, 871 P.2d 944, 946 (1994) (“[A]n untimely notice of appeal fails to vest jurisdiction in this court.”), we directed appellant’s counsel to show cause why this appeal should not be dismissed for lack of

jurisdiction. Appellant's counsel has not responded. We conclude we lack jurisdiction, and we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Carolyn Ellsworth, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Katario Miller