

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILIP EDWARD HASKIN,
Appellant,
vs.
KEN FURLONG, SHERIFF OF
CARSON CITY, NEVADA,
Respondent.

No. 76469

FILED

NOV 05 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a pretrial petition for a writ of habeas corpus. First Judicial District Court, Carson City; James E. Wilson, Judge.

This court's initial review of this appeal revealed a jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists. *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). An order denying a pretrial petition for a writ of habeas corpus is not an appealable order. *See Gary v. Sheriff*, 96 Nev. 78, 605 P.2d 212 (1980) (order denying pretrial habeas relief is an intermediate order that may be challenged in a timely appeal from the judgment of conviction); *see also Sheriff v. Gillock*, 112 Nev. 213, 912 P.2d 274 (1996) (only the State may appeal from a district court order granting in part and denying in part a pretrial petition for a writ of habeas corpus). Accordingly, on August 9, 2018, we directed appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. When counsel failed to respond, we entered an order on September 26, 2018, again

directing him to show cause why this appeal should not be dismissed for lack of jurisdiction.

To date, appellant's counsel has not responded to the order to show cause. Nevertheless, having reviewed the documents filed with the notice of appeal, we conclude that we lack jurisdiction to consider this appeal, and we

ORDER this appeal DISMISSED.

Cherry, J.
Cherry

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Hon. James E. Wilson, District Judge
Robert B. Walker
Attorney General/Carson City
Attorney General/Reno
Carson City District Attorney
Carson City Clerk
Philip Edward Haskin