

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD EARL ESSEX, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 80500

**FILED**

MAY 01 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*


This is an appeal from a district court order finding appellant competent to proceed with criminal adjudication. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

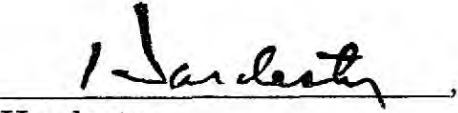
This court's review of this appeal revealed a jurisdictional defect. Specifically, no statute or court rule provides for an appeal from a district court decision and order finding appellant competent to proceed with adjudication. *Castillo v. State*, 106 Nev.349, 352, 792 P.2d 1133, 1135 (1990) (where no statute or court rule provides for an appeal, no right to appeal exists). This court issued an order to show cause, appellant filed a response to the order to show cause, and respondent filed a reply to the response.

Appellant acknowledges that no statute or court rule provides for an appeal from a decision regarding a competency determination, but argues that this appeal should not be dismissed for lack of jurisdiction on equitable grounds. Respondent notes that equitable principles will not

justify a court's disregard of statutory requirements. *See Pellegrini v. State*,  
117 Nev. 860, 878, 34 P.3d 519, 531 (2001). We lack jurisdiction and

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Cadish

cc: Hon. Linda Marie Bell, Chief Judge  
TCM Law  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk