

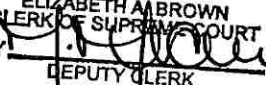
IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID BOOKER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 87883

FILED

JAN 19 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This pro se notice of appeal appears to challenge the court of appeals' order of affirmance. This court's review of this appeal reveals a jurisdictional defect. Specifically, no statute or court rule permits an appeal from an order of affirmance. *See Castillo v. State*, 106 Nev. 349, 792 P.2d 1133 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). To the extent that the notice of appeal can be construed as a petition for rehearing or review of the court of appeals' November 13, 2023, Order of Affirmance in Docket No. 86052-COA, it was untimely filed. *See* NRAP 40(a)(1); NRAP 40B(c). Accordingly, this court

ORDERS this appeal DISMISSED.



_____, J.
Herndon



_____, J.
Lee



_____, J.
Bell

cc: Chief Judge, The Eighth Judicial District Court
Hon. Michael A. Cherry, Senior Justice
David Booker
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk