IN THE SUPREME COURT OF THE STATE OF NEVADA

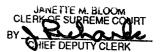
THE STATE OF NEVADA, Appellant, vs. MARSHALL SYLVER, Respondent.

No. 39108

FILED

MAR 14 2002

ORDER DISMISSING APPEAL



This is an appeal from an order of the district court denying a motion for a protective order. Our review of this appeal reveals a jurisdictional defect. 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 such an order. Accordingly, we

ORDER this appeal DISMISSED.2

Shearing

J.

Shearing

J.

Rose

J.

Rose

J.

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

²On February 13, 2002, the State filed a motion for a stay of the district court's order pending this appeal. In light of our disposition, the motion is denied. Moreover, the State has failed to demonstrate that a stay of the district court's order is warranted.

cc: Hon. Mark W. Gibbons, District Judge Attorney General/Carson City Attorney General/Las Vegas Patti & Sgro Clark County Clerk

SUPREME COURT OF NEVADA