

IN THE SUPREME COURT OF THE STATE OF NEVADA

GENE ANTHONY ALLEN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53732

**FILED**

**MAY 21 2009**

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

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion for the appointment of counsel. Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

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. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). No statute or court rule provides for an appeal from an order denying a motion for the appointment of counsel. Accordingly, we

ORDER this appeal DISMISSED.<sup>1</sup>

Cherry J.  
Cherry  
Saitta J.  
Saitta  
Gibbons J.  
Gibbons

<sup>1</sup>We have considered all proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.

cc: Hon. James M. Bixler, District Judge  
Gene Anthony Allen  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk