

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 58038

FILED

APR 26 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a decision of the district court to deny a "motion to cure the effects of an unconstitutional jury instruction." Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

Because no statute or court rule permits an appeal from an order denying the aforementioned motion, we lack jurisdiction. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.¹

Cherry
_____, J.
Cherry

Gibbons
_____, J.
Gibbons

Pickering
_____, J.
Pickering

¹We have considered the documents submitted in this matter and conclude that no relief is warranted due to the jurisdictional defect.

cc: Hon. James M. Bixler, District Judge
Gene Anthony Allen
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk