

IN THE SUPREME COURT OF THE STATE OF NEVADA

TONY LEE HOBSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69981

FILED

MAR 29 2016

ORDER TO SHOW CAUSE

THOMAS R. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

This is an appeal from a district court order denying a pretrial petition for a writ of habeas corpus. Our review of this appeal reveals a potential jurisdictional defect. Specifically, an order denying a pretrial petition for a writ of habeas corpus is not an appealable order. *See Gary v. Sheriff*, 96 Nev. 78, 605 P.2d 212 (1980) (order denying a pretrial habeas relief is an intermediate order that may be challenged in a timely appeal from the judgment of conviction); *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists). Accordingly, appellant's counsel shall have 20 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondent shall have 10 days from the filing of any response to file any reply.

It is so ORDERED.¹

[Signature], C.J.

¹We defer ruling on appellant's motion for stay pending resolution of the issue related jurisdiction.

cc: Tanasi Law Offices
Tony Lee Hobson
Attorney General/Carson City
Clark County District Attorney