

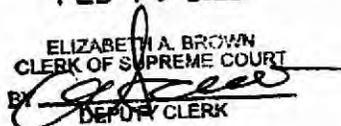
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GENARO RICHARD PERRY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 82931-COA

**FILED**

FEB 18 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

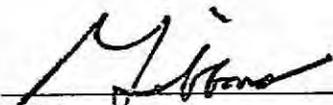
Genaro Richard Perry appeals from an order of the district court denying a “motion requesting order directing the Las Vegas Metropolitan Police Department to conduct genetic marker and latent fingerprint analysis of evidence impounded at the crime scene.” Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge.

In his February 3, 2021, motion, Perry first sought, pursuant to NRS 176.0918, genetic marker analysis of blood samples collected from the crime scene. The State’s theory at trial was that Perry attacked his ex-girlfriend with a knife, and Perry’s theory was self-defense. Perry alleged that the test results would have supported his self-defense theory by showing that the victim had the knife in her hand and that Perry was cut by the knife. The evidence presented at trial was that Perry punched the victim multiple times, there was a struggle, and the victim bit Perry’s hand prior to Perry grabbing the knife. In light of this evidence, the presence of Perry’s blood at the crime scene or on the knife would not result in a reasonable possibility that Perry would not have been prosecuted or convicted. *See* NRS 176.09183(1)(c)(1). Therefore, we conclude the district

court did not abuse its discretion by denying Perry's request for genetic marker analysis. See NRS 176.09183(5)(b).

Perry also sought an order directing the local police department to conduct latent fingerprint analysis on the knife. No statute or court rule permits an appeal from an order denying such a motion. Therefore, we decline to consider any claims relating to his request for fingerprint analysis. See *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (holding the appellate court lacks jurisdiction where no statute or court rule authorizes the appeal). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Jacqueline M. Bluth, District Judge  
Jean J. Schwartzner  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk