

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAX MONES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85113

FILED

AUG 05 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER TO SHOW CAUSE AND SUSPENDING BRIEFING

This is an appeal from a district court order denying a pretrial petition for a writ of habeas corpus. This court's review of this appeal reveals a potential jurisdictional defect. Specifically, no appeal lies for appellant from an order denying a pretrial petition for a writ of habeas corpus. *See Gary v. Sheriff*, 96 Nev. 78, 605 P.2d 212 (1980) (order denying pretrial habeas relief is an intermediate order that may be challenged in a timely appeal from the judgment of conviction); *see also Sheriff v. Gillock*, 112 Nev. 213, 912 P.2d 274 (1996) (only the State may appeal from a district court order granting in part and denying in part a pretrial petition for a writ of habeas corpus). 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). Accordingly, appellant shall have 21 days from the date of this order to show cause why this appeal should not be dismissed for lack of jurisdiction. Respondent shall have 14 days from the filing of any response to file any reply.

The deadlines for filing documents and the briefing of this appeal are suspended until further order of this court.

It is so ORDERED.

[Signature], C.J.

22-24596

cc: Isso & Associates Law Firm, PLLC
Attorney General/Carson City
Clark County District Attorney