IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN MUSCARELLA D/B/A MAIL FOR YOU,

No. 42993

Appellant, vs. NEVADA STATE BANK, A NEVADA BANKING CORPORATION, Respondent.

DEC 22 2004

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14-23354

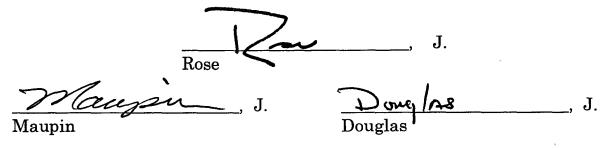
FILED

ORDER DISMISSING APPEAL AS ABANDONED

This is an appeal from a district court order granting summary judgment entered on February 26, 2004. Eighth Judicial District Court, Clark County; Stewart L. Bell, Judge.

On August 13, 2004, the settlement judge filed a report indicating that the parties agreed to a settlement of this appeal. Accordingly, on August 24, 2004, we directed appellant to file a stipulation or motion to dismiss this appeal or otherwise inform this court of the status of this appeal within 30 days. To date, appellant has not responded to our order or otherwise communicated with this court. Accordingly, cause appearing, we dismiss this appeal as abandoned.

It is so ORDERED.



Hon. Stewart L. Bell, District Judge cc: Howard Roitman, Settlement Judge Patti & Sgro Jolley Urga Wirth Woodbury & Standish Clark County Clerk

SUPREME COURT OF NEVADA