

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHELLIE CLARK,  
Appellant/Cross-  
Respondent,  
vs.  
THOMAS CLARK,  
Respondent/Cross-  
Appellant.

No. 43111

**FILED**

AUG 10 2005

JANETTE H. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL AND CROSS-APPEAL

This is an appeal and cross-appeal from a district court order entered March 10, 2004, that resolved child custody and child support matters. On May 27, 2005, respondent/cross-appellant Thomas Clark (respondent) filed a notice of voluntary dismissal of cross-appeal. In the notice, respondent represents that the parties entered a "Stipulation and Order to Modify Decree of Divorce and the Decision and Order Which Was Filed on March 10, 2004." Respondent has attached a copy of the stipulation and order, which provides "that the parties shall concurrently dismiss their Appeals before the Supreme Court of . . . Nevada."

Respondent's notice of withdrawal of cross-appeal is treated as a motion for voluntary dismissal. Cause appearing, the motion is granted and respondent's cross-appeal is dismissed.<sup>1</sup> NRAP 42(b).


To date, appellant/cross-respondent Shellie Clark (appellant) has not filed a stipulation or motion to dismiss her appeal in accordance

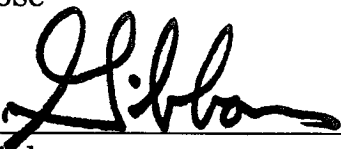
---

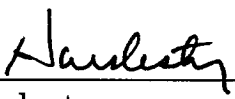
<sup>1</sup>We vacate the portions of our February 3, 2005, and April 14, 2005, orders that directed respondent to request transcripts in compliance with NRAP 9(a). We admonish respondent's counsel for failing to timely comply or otherwise respond to our orders.

with the parties' stipulation and order. Further, appellant has failed to file her opening brief as directed in our February 3, 2005, and April 14, 2005, orders and failed to otherwise communicate with this court. Accordingly, cause appearing, we order her appeal dismissed as abandoned. See NRAP 31(c). We admonish appellant's counsel for failing to comply with our orders.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Rose

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

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. T. Arthur Ritchie Jr., District Judge, Family Court Division  
Law Offices of John P. Lukens  
Meghan Mahoney  
Clark County Clerk