

IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTT SPITTLER,

Appellant,

vs.

COLDWELL BANKER INCLINE
VILLAGE REALTY, INC., A NEVADA
CORPORATION; SHARON BAYLIES,
AN INDIVIDUAL; AND MARK BENKA,
AN INDIVIDUAL,

Respondents.

No. 44029

FILED

JAN 06 2006

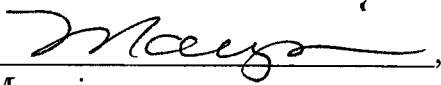
JANETTE M BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK


ORDER DISMISSING APPEAL

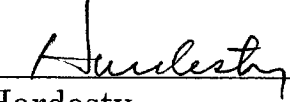
On October 21, 2005, this court entered an order granting counsel for appellant's motion to withdraw. That order noted that prior to filing his motion to withdraw, previous counsel had submitted a letter to this court indicating that the parties had agreed to a settlement of this matter. Accordingly, our order directed appellant to obtain new counsel and cause new counsel to file a notice of appearance and directed new counsel to file a stipulation or motion to dismiss this appeal or otherwise inform this court of the status of this appeal within 10 days from filing a notice of appearance. Alternatively, if appellant did not intend to retain new counsel, we directed appellant to inform this court in writing whether this appeal should be dismissed. We cautioned appellant that failure to comply with our order might result in dismissal of this appeal. As of the

date of this order appellant has not complied with that order. Accordingly, we dismiss this appeal.

It is so ORDERED.


_____, J.
Maupin


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Steven P. Elliott, District Judge
Leonard I. Gang, Settlement Judge
Scott Spittler
Jack I. McAuliffe, Chtd.
Washoe District Court Clerk