

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE  
GUARDIANSHIP OF THE PERSON  
AND ESTATE OF AUDREY ARNO-  
CANN.

NEVADA CARE MANAGEMENT, INC.,  
Appellant,  
vs.  
WARREN E. CANN, JR., AND  
ALESANDRE WALKINS,  
Respondents.

No. 44729

**FILED**

OCT 25 2005

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

ORDER GRANTING MOTION  
TO VOLUNTARILY DISMISS APPEAL

This is an appeal from a district court order denying appellant's petition for authority to change the last will and testament of the ward, Audrey Arno-Cann. Eighth Judicial District Court, Family Court Division, Clark County; Steven E. Jones, Judge.

When our preliminary review of the documents submitted to this court pursuant to NRAP 3(e) revealed a potential jurisdiction defect, we ordered appellant to show cause why this court had jurisdiction to consider this appeal. Specifically, it was not clear whether the order was a final, appealable judgment or whether the appeal was authorized by NRS 159.325.<sup>1</sup> On September 29, 2005, in response to our show cause order, appellant filed the present motion to voluntarily dismiss this appeal. Appellant contends that a trial was conducted in the district court on

<sup>1</sup>See NRAP 3A(b)(1); Taylor Constr. Co. v. Hilton Hotels, 100 Nev. 207, 678 P.2d 1152 (1984); Lee v. GNLV Corp., 116 Nev. 424, 996 P.2d 416 (2000).

August 17, 2005, resolving all issues presented in this appeal. Accordingly, we grant appellant's motion to voluntarily dismiss this appeal. The parties shall bear their own fees and costs, if any.<sup>2</sup>

It is so ORDERED.

Maupin, J.

Maupin

Gibbons, J.

Gibbons

Hardesty, J.

Hardesty

cc: Hon. Steven E. Jones, District Judge, Family Court Division  
Bolick & Boyer  
Warren E. Cann Jr.  
Alesandre Walkins  
Clark County Clerk

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<sup>2</sup>NRAP 42(b).