

IN THE SUPREME COURT OF THE STATE OF NEVADA

DUNMORE HOMES OF NEVADA, INC.
A NEVADA CORPORATION; AND
RANCHO ALTA MIRA, L.P.,
Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ALLAN R. EARL, DISTRICT JUDGE,
Respondents,


and

BUDDY YORK, INDIVIDUALLY;
CHRIS MASTERSON, INDIVIDUALLY;
AND DAVID ZEISZLER,
INDIVIDUALLY, ALL APPEARING ON
BEHALF OF THE CLASS OF
HOMEOWNERS IN RANCHO ALTA
MIRA,
Real Parties in Interest.

No. 44931

FILED

APR 21 2006


JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

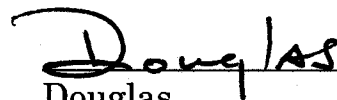
ORDER DISMISSING PETITION
FOR WRIT OF PROHIBITION OR MANDAMUS

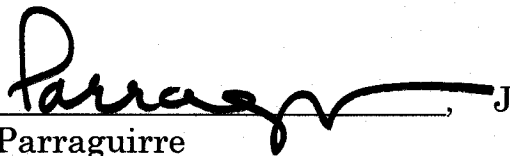
This original petition for a writ of prohibition or, alternatively, mandamus challenges the district court's interlocutory order certifying the plaintiffs' (real parties in interest's) proposed class on an "opt-out" basis in a constructional defects case. On March 21, 2006, this court issued an order directing petitioners to show cause why their petition should not be dismissed as moot based on the district court's apparent entry of an order decertifying the class action in the underlying case. We further directed petitioners to inform this court if the petition has, in fact, been rendered moot. In response to our show cause order, petitioners and the real

parties in interest filed a joint motion for voluntary dismissal of this petition, asking that the petition be dismissed as moot. The motion further asks that this court order each party to bear its own fees and costs. We grant the motion and dismiss this petition as moot. The parties shall bear their own fees and costs.

It is so ORDERED.


_____, C.J.
Rose


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Allan R. Earl, District Judge
Beckley Singleton, Chtd./Las Vegas
Canepa Riedy Rubino & Lattie
Clark County Clerk