

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
PHILLIP EDWARD SKWARKOWSKI.

ANGELA MCKENNY,

Appellant,

vs.

KATHERINE SKWARKOWSKI,

Respondent.

No. 45163

FILED

FEB 17 2006

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

ORDER DISMISSING APPEAL AND IMPOSING SANCTIONS

When appellant filed the notice of appeal in the district court, it was not accompanied by a case appeal statement or the required filing fee. See NRAP 3(a)(1), 3(e) and 3(f); NRS 2.250(1). Accordingly, upon docketing the appeal in this court, the clerk issued a notice directing appellant to file a case appeal statement and to pay the filing fee. The clerk also issued a settlement notice informing appellant that the docketing statement would be due within 15 days of docketing. See NRAP14(b).

The settlement judge subsequently filed a report indicating that the parties had agreed to a settlement of this matter. Further, the parties filed a stipulation to dismiss the appeal pursuant to the settlement agreement. Because appellant had failed to comply with this court's notices, however, this court entered an order waiving the requirements to file a case appeal statement and docketing statement, but deferred ruling on the stipulation to dismiss until appellant paid the filing fee. See NRAP 42. That order noted that failure to comply with the order may result in the imposition of sanctions. Because appellant failed to comply with that

order, this court entered another order directing appellant to pay the filing fee or show cause why sanctions should not be imposed.

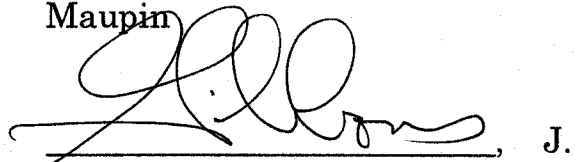
As of the date of this order, appellant has failed to pay the filing fee or otherwise communicate with this court. Accordingly, counsel for appellant, attorney Christopher J. Phillips, shall personally pay a sanction of \$500 to the Clark County Law Library and file a proof of payment of that sanction with the clerk of this court within 10 days from the date of this order. Mr. Phillips shall also pay the required \$250 filing fee to the clerk of this court within the same time period. We caution Mr. Phillips that failure to comply with this order may result in the imposition of additional sanctions, including referral to the State Bar of Nevada.

Finally, pursuant to the settlement conference, the stipulation of the parties and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

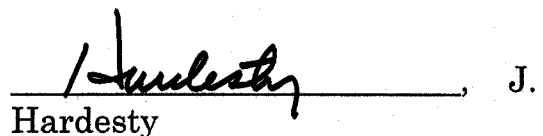
It is so ORDERED.



Maupin



Gibbons



Hardesty

cc: Hon. Kathy A. Hardcastle, District Judge
Paul E. Richitt, Jr., Settlement Judge
Trent, Tyrell & Associates
Gerrard Cox & Larsen
Clark County Clerk
Clark County Law Library