

IN THE SUPREME COURT OF THE STATE OF NEVADA

HARRY IRWIN,

Appellant,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY AND SHANE
R. WITHAM,

Respondents.

No. 45293

FILED

APR 10 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

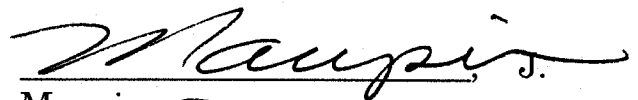
This appeal was docketed in this court on May 24, 2005. Accordingly, appellant was required to file the docketing statement by June 8, 2005. See NRAP 14(b). Because the docketing statement was not timely filed, on June 15, 2005, this court issued a notice directing appellant to file the docketing statement within 10 days. Appellant failed to comply with this court's June 15, 2005, notice. Therefore, on August 1, 2005, we entered an order directing appellant to file and serve the docketing statement by August 11, 2005. That order cautioned appellant's counsel that failure to comply timely with our order might result in the dismissal of this appeal as abandoned. Appellant also failed to comply with our August 1, 2005, order.

On February 16, 2006, this court entered an order reinstating briefing as the parties were unable to agree to a settlement of this appeal. That order, among other things, recounted appellant's continuing failure to file the docketing statement and directed appellant file and serve the docketing statement by February 27, 2006. Our February 16, 2006, order also directed appellant to request transcripts in compliance with NRAP 9(a) by March 3, 2006. We cautioned appellant's counsel that failure to comply timely with our order might result in the imposition of sanctions,

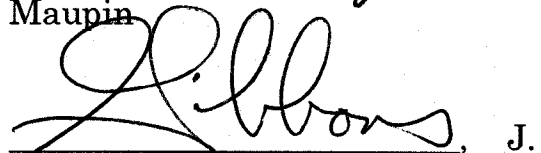
including dismissal of this appeal. To date, appellant has failed to file the docketing statement and the transcript request form, or to otherwise communicate with this court.

We conclude that, due to counsel's continuing failure to comply with our appellate rules, notices and orders, dismissal of this appeal is appropriate. See NRAP 9(a)(3) and 14(c). Accordingly, this appeal is dismissed as abandoned.

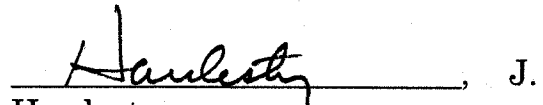
It is so ORDERED.



Maupin

 J.

Gibbons

 J.

Hardesty

cc: Hon. Douglas W. Herndon, District Judge
William C. Turner, Settlement Judge
Fassett & Cardoza
Dennett & Winspear, LLP
Rogers, Mastrangelo, Carvalho & Mitchell, Ltd.
Clark County Clerk