

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANN MARIE WITTWER, F/K/A ANN  
MARIE RANKIN,  
Appellant,  
vs.  
BARRY E. RANKIN,  
Respondent.

No. 46215

**FILED**

DEC 16 2005

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a divorce decree. Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

On November 21, 2005, appellant filed a motion to withdraw her appeal. We construe this motion as one for voluntary dismissal pursuant to NRAP 42(b). We grant the motion and dismiss the appeal. The parties shall bear their own fees and costs, if any.

It is so ORDERED.<sup>1</sup>

*Becker* \_\_\_\_\_, C.J.  
Becker

*Douglas* \_\_\_\_\_, J.  
Douglas

*Agosti* \_\_\_\_\_, Sr. J.  
Agosti

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<sup>1</sup>In light of this order, we vacate our order directing appellant to file a civil proper person appeal statement. The Honorable Deborah A. Agosti, Senior Justice, participated in the decision of this matter under a general order of assignment entered on July 14, 2005.

cc: Hon. Robert W. Lane, District Judge  
Ann Marie Wittwer  
Carl M. Joerger  
Nye County Clerk