

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM K. ERRICO,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
NANCY M. SAITTA, DISTRICT JUDGE,
Respondents,
and
TANIA FARELLA,
Real Party in Interest.

No. 46595

FILED

FEB 13 2006

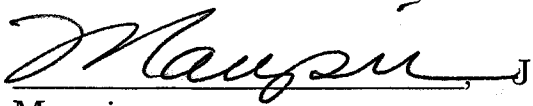
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


ORDER DISMISSING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus or prohibition challenges the district court's repeated deferral of a hearing on petitioner's motion to expunge a lis pendens.

Petitioner has filed a motion to voluntarily withdraw his petition, based on "[r]espondents' intervention, and the agreement of the parties." We grant the motion and dismiss the petition.¹ In light of this order, we vacate our January 24, 2006 order directing answers.

It is so ORDERED.


_____, J.
Maupin


_____, J.
Gibbons


_____, J.
Hardesty

¹The parties shall bear their own costs and fees, if any.

cc: Hon. Nancy M. Saitta, District Judge
Michael R. Pontoni
Elizabeth S. Ashley
Clark County Clerk