

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT RASKIN,

Appellant,

vs.

PRIME FOODS, INC., A NEVADA  
CORPORATION; ROBERT STEINKE,  
AN INDIVIDUAL; AND NICK  
SOKOLOWSKI, AN INDIVIDUAL,

Respondents.

No. 47131

**FILED**

JUL 03 2007

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER DISMISSING APPEAL

On January 22, 2007, this court entered an order partially dismissing the appeal in this matter and reinstating briefing. In that order, we noted that appellant insisted that he was appealing a district court order denying his NRCP 59(e) motion and not an order awarding attorney fees. However, we concluded that we lack jurisdiction over the order denying the NRCP 59(e) motion and limited this appeal to issues related to district court orders awarding attorney fees and costs. We stated that if appellant does not wish to pursue the appeal from the orders awarding attorney fees and costs, he should promptly move this court to voluntarily dismiss the appeal. See NRAP 42(b). Our January 22, 2007, order also directed appellant to request transcripts in compliance with NRAP 9(a) by February 6, 2007, and to file and serve the opening brief and appendix by March 23, 2007.

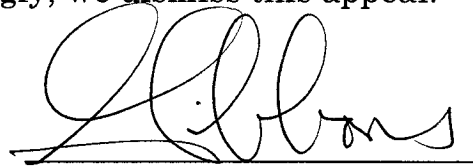
Because appellant did not timely request transcripts in compliance with NRAP 9(a), on February 20, 2007, this court issued a notice directing appellant to request transcripts by March 2, 2007. On April 3, 2007, this court entered an order describing appellant's continuing failure to request transcripts in compliance with NRAP 9(a) and directing

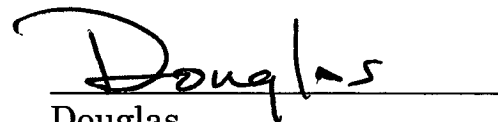
appellant to do so by April 13, 2007. Our order cautioned appellant's counsel that failure to comply with the order might result in the imposition of sanctions, including the dismissal of this appeal as abandoned.

Additionally, because appellant did not timely file the opening brief and appendix, on March 30, 2007, this court issued a notice directing appellant to file these documents by April 16, 2007.

To date, appellant has failed to request transcripts in compliance with NRAP 9(a) and failed to file the opening brief and appendix. Indeed, appellant has not filed any documents or otherwise communicated with this court regarding this appeal since our January 22, 2007, order. Under these circumstances, it appears appellant has abandoned this appeal. Accordingly, we dismiss this appeal.

It is so ORDERED.

  
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Gibbons J.

  
\_\_\_\_\_  
Douglas J.

  
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Cherry J.

cc: Hon. Douglas W. Herndon, District Judge  
Law Offices of James J. Lee  
Foley & Lardner  
Santoro, Driggs, Walch, Kearney, Johnson & Thompson  
Eighth District Court Clerk