

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD CALDWELL AND KAREN  
CALDWELL,

Appellants,

vs.

JEROME PETERSON,

Respondent.

No. 47663

**FILED**

MAY 05 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER DISMISSING APPEAL AND VACATING SANCTIONS

On March 27, 2008, this court entered an order concluding that the failure of appellants to file a transcript request form, in compliance with our procedural rules and a notice from this court, warranted conditional imposition of sanctions. Accordingly, we directed appellants to pay the sum of \$500.00 to the Supreme Court Law Library and provide this court with proof of such payment by April 11, 2008. However, these sanctions would be automatically vacated if these appellants filed and served a transcript request form or, alternatively a motion to extend time, within 10 days of the March 27, 2008 order.

On April 14, 2008, counsel for appellants filed untimely motions for voluntary dismissal of this appeal and to vacate the sanctions.<sup>1</sup> Cause appearing, we grant the motions. Accordingly, we order

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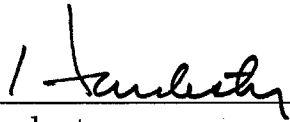
<sup>1</sup>In the motion to vacate sanctions, counsel admits that it was filed beyond the deadline set forth in this court's March 27, 2008, order, but notes confusion over whether they were allotted three additional days due to mailing. Cf. NRAP 26(c) ("Specific due dates set by court order or acts required to be taken within a time period set forth in the order are not

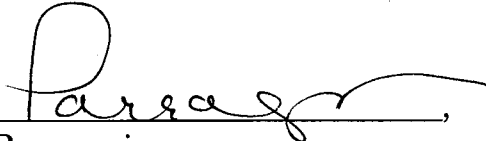
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this appeal dismissed and vacate the sanctions imposed in our March 27, 2008 order. NRAP 42(b).

It is so ORDERED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

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

cc: Hon. Stewart L. Bell, District Judge  
Travis E. Shetler  
Gentile & Howard  
Eighth District Court Clerk  
Supreme Court Law Librarian

\_\_\_\_\_  
*... continued*

subject to the[e] additional 3-day allowance” for other documents served by mail.)