


IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE PARENTAL
RIGHTS AS TO B. B.

No. 45518

FILED

MAR 18 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES; AND B. B.,

Appellants,

vs.

TAMARA S., F/K/A TAMARA B.; AND
KEVIN B.,

Respondents.

No. 47678

IN RE: PARENTAL RIGHTS AS TO B.
B.

CLARK COUNTY DEPARTMENT OF
FAMILY SERVICES; AND B. B.,

Appellants,

vs.

TAMARA S.,

Respondent.

ORDER DISMISSING APPEAL IN PART
AND REMANDING (DOCKET NO. 45518)
AND DISMISSING APPEAL (DOCKET NO. 47678)

These are consolidated appeals from district court orders denying two separate petitions to terminate parental rights as to the minor child. Eighth Judicial District Court, Family Court Division, Clark County; Gerald W. Hardcastle, Judge.

Docket No. 45518

Respondent Tamara S. and appellants Clark County Department of Family Services (DFS) and B. B. have notified this court that on February 7, 2008, Tamara executed a written instrument, confirmed in the district court, consenting to voluntarily relinquish to DFS her parental rights to the minor child, B. B., so that B. B. may be adopted

by her foster parents.¹ In light of Tamara's voluntarily relinquishment, we dismiss the appeal in Docket No. 45518 as moot as it relates to Tamara.²

With regard to that appeal as it relates to respondent Kevin B., B. B. has filed a motion to remand to the district court the matter concerning Kevin's parental rights in accordance with this court's procedures outlined in Huneycutt v. Huneycutt.³ The motion is supported by the district court's certification that it is inclined to vacate the order denying DFS's petition to terminate parental rights as to Kevin. Kevin has not opposed the motion. Accordingly we grant the motion and remand Docket No. 45518 to the district court for further consideration of DFS's petition seeking termination of Kevin's parental rights.⁴

¹See NRS 127.050.

²Although DFS suggests that there are unresolved legal issues that this court may still address, we decline to reach any issues relating to Tamara's parental rights, as those issues became moot when Tamara voluntarily relinquished those rights. See NCAA v. University of Nevada, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981) (explaining that the duty of this court is to resolve actual controversies, not to opine on moot questions or abstract propositions).

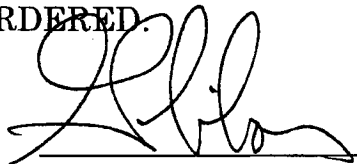
³94 Nev. 79, 575 P.2d 585 (1978); see also Mack-Manley v. Manley, 122 Nev. 849, 138 P.3d 525 (2006).


⁴This order constitutes our final disposition in this matter. Any party aggrieved by the district court's order following remand may file a notice of appeal in accordance with NRAP 4(a), which will be docketed in this court as a new proceeding.

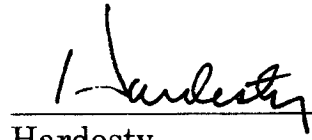
Docket No. 47678

The appeal in Docket No. 47678 concerns the district court's order denying DFS's second petition to terminate Tamara's parental rights. Since, as noted above, Tamara has voluntarily agreed in writing to relinquish her parental rights for the purpose of B. B.'s adoption by the foster parents,⁵ we dismiss the appeal in Docket No. 47678 as moot.⁶

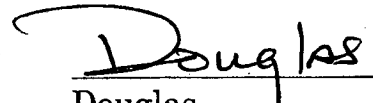
It is so ORDERED.

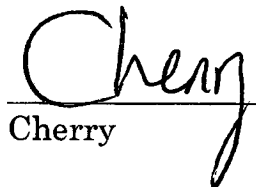

_____, C.J.
Gibbons



_____, J.
Maupin


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas


_____, J.
Cherry


_____, J.
Saitta

cc: Hon. Gerald W. Hardcastle, District Judge, Family Court Division
Clark County District Attorney David J. Roger/Juvenile Division
Clark County Legal Services Program, Inc.
Kevin B.
Christopher R. Tilman
Eighth District Court Clerk

⁵See NRS 127.050.

⁶See NCAA, 97 Nev. at 57, 624 P.2d at 10.