

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN BRINAR,
Appellant,
vs.
THOMAS A. CATANIA,
INDIVIDUALLY; AND EMERALD
BUSINESS PARK, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Respondents.

No. 47907

FILED

NOV 09 2006

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying appellant's motion to reinstate and objection to the release of a lis pendens. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.


Appellant's notice of appeal was filed in this court on August 24, 2006. When the notice of appeal was filed, appellant was mailed a civil proper person appeal statement and other documents, as part of the pilot program for proper person civil appeals.¹ As noted in the instructions accompanying the documents mailed to appellant, appellant was required to file his appeal statement within forty days from the date his appeal was

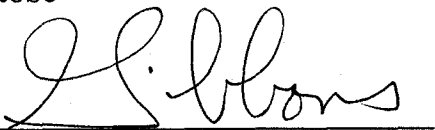
¹See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005). See also ADKT No. 385 (Order Extending Pilot Program for Civil Proper Person Appeals, May 10, 2006) (indefinitely extending the pilot program for civil appeals, which was scheduled to conclude on June 13, 2006, until further order of this court).

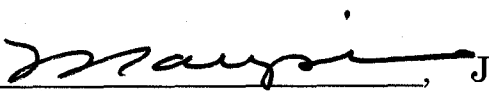
filed in this court.² The instructions further explained that if appellant failed to file the appeal statement by that date, this court would dismiss the appeal.³

Appellant's appeal statement was due on October 3, 2006. To date, appellant has not filed an appeal statement or otherwise responded to this court's directive. Accordingly, we dismiss this appeal.

It is so ORDERED.⁴


_____, C.J.
Rose


_____, J.
Gibbons


_____, J.
Maupin

cc: Hon. Valorie Vega, District Judge
John Brinar
Simon & Berman
Clark County Clerk

²See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005), Exhibit A (Instructions for Civil Litigants Without Attorneys).

³Id.

⁴We note that appellant's failure to pay the filing fee or otherwise comply with NRAP 24(a) constitutes an independent basis for dismissing this appeal.