

IN THE SUPREME COURT OF THE STATE OF NEVADA

KIMBERLY REED, INDIVIDUALLY,
AND D/B/A WINDGATE SADDLERY,
Petitioner,

vs.

THE NINTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
DOUGLAS, AND THE HONORABLE
DAVID R. GAMBLE, DISTRICT JUDGE,
Respondents,


and

STEPHEN H. BOURNE,
INDIVIDUALLY, AS TRUSTEE OF THE
S.H. BOURNE 1994 TRUST, AND D/B/A
NEVADA B RANCH,
Real Party in Interest.

No. 48061

FILED

DEC 08 2006

ANNETTE M. BLOOM
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER DISMISSING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges a district court order disqualifying petitioner's counsel. On November 14, 2006, petitioner filed a "Notice of Withdrawal of Petition for Writ of Mandamus" based on the parties' settlement of the underlying dispute. We construe the notice as a motion to voluntarily dismiss the petition and

we grant it.¹ Accordingly, this petition is dismissed, with the parties to bear their own costs and fees, if any. In light of this order, we vacate our October 19, 2006 order directing the real party in interest to file an answer.

It is so ORDERED.

Becker, J.
Becker

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. David R. Gamble, District Judge
Hale Lane Peek Dennison & Howard/Reno
Alling & Jillson, Ltd.
Rollston, Henderson, Rasmussen, Crabb & Johnson
Douglas County Clerk

¹Cf. NRAP 42(b) (concerning voluntary dismissal of an appeal).