

IN THE SUPREME COURT OF THE STATE OF NEVADA

ESTATE OF LEONARD JOHN CAOILE,  
DECEASED, BY AND THROUGH  
HERMAN CAOILE, SPECIAL  
ADMINISTRATOR, HEIR AND  
FATHER OF LEONARD JOHN  
CAOILE; HERMAN CAOILE,  
INDIVIDUALLY; AND JEAN MARY  
CAOILE, HEIR AND MOTHER OF  
LEONARD CAOILE, INDIVIDUALLY,  
Appellants,  
vs.  
VTN NEVADA, A NEVADA  
CORPORATION,  
Respondent.

No. 48143

**FILED**

SEP 07 2007

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a post-judgment order awarding attorney fees and costs. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

On February 7, 2007, this court reinstated the deadlines for filing briefs after the parties were unable to agree to a settlement of the two related appeals in Docket Nos. 47242 and 47336. We directed appellants to file and serve the opening brief and appendix within 90 days of the date of that order. Thus, pursuant to that order, the opening brief and appendix were due to be filed by May 8, 2007. Appellants failed to comply with that order.

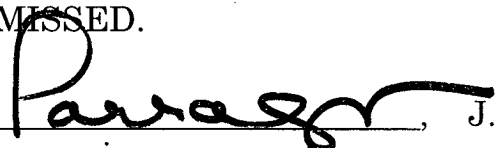
On May 21, 2007, this court issued a notice directing appellants to file and serve the opening brief and appendix within 15 days from the date of the notice. Thus, pursuant to that notice, the opening brief and appendix were due to be filed by June 5, 2007. The notice also cautioned appellants that failure to comply "may result in the imposition

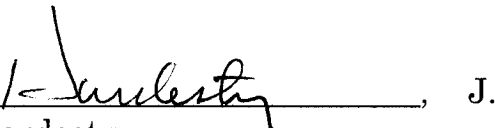
of sanctions, including dismissal of this appeal.” Appellants failed to file the documents as directed in the notice.

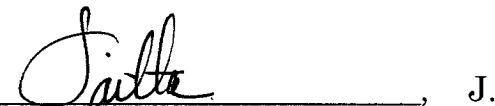
On July 5, 2007, this court entered an order noting appellants’ failure to comply with the February 7, 2007, Order Reinstating Briefing and the May 21, 2007, Notice to File Opening Brief. This court directed appellants to file and serve the opening brief and appendix within 10 days. Thus, pursuant to that order, the opening brief and appendix were due to be filed by July 16, 2007. We also cautioned appellants “that failure to comply timely with this order may result in the dismissal of this appeal as abandoned.”

To date, appellants have failed to file the opening brief and appendix as directed by this court on three occasions. Appellants have twice been cautioned that failure to timely file these documents may result in the dismissal of this appeal. See NRAP 31(c). Under the circumstances, we conclude that appellants have abandoned this appeal, and we therefore

ORDER this appeal DISMISSED.

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

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

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Michelle Leavitt, District Judge  
Eleissa C. Lavelle, Settlement Judge  
Titolo Law Office  
Morris Polich & Purdy, LLP/Las Vegas  
Eighth District Court Clerk