

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP BENSON,
Appellant,
vs.
WASHOE COUNTY SHERIFF'S
DEPARTMENT,
Respondent.

No. 48623

FILED

MAR 01 2007

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court judgment in a forfeiture action. Second Judicial District Court, Washoe County; Steven P. Elliott, Judge.

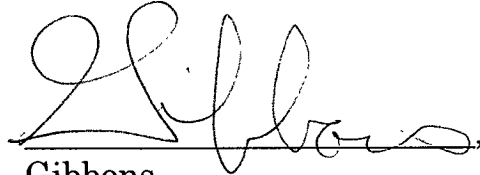
Appellant's notice of appeal was filed in this court on December 15, 2006. When the notice of appeal was filed, appellant was mailed a civil proper person appeal statement and other documents, as part of the pilot program for proper person civil appeals.¹ As noted in the instructions accompanying the documents mailed to appellant, appellant was required to file his appeal statement within forty days from the date that his appeal was filed in this court.² The instructions further

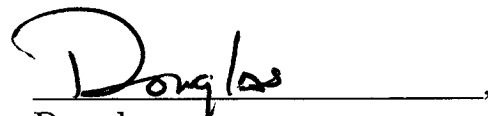
¹See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005). See also ADKT No. 385 (Order Extending Pilot Program for Civil Proper Person Appeals, May 10, 2006) (extending the pilot program for civil appeals, which was scheduled to conclude on June 13, 2006, until further order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

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 January 30, 2007. 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


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Steven P. Elliott, District Judge
Phillip Benson
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

... continued

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

³Id.

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