

IN THE SUPREME COURT OF THE STATE OF NEVADA

SOCRATES ROUSSOS AND ROBERT
W. WEATHERFORD,

Petitioners,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MICHELLE LEAVITT, DISTRICT
JUDGE,

Respondents,

and

TERRI GILMORE,

Real Party in Interest.

No. 48633

FILED

APR 13 2007

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

ORDER DISMISSING PETITION

On February 5, 2007, this court entered an order directing attorney Robert W. Weatherford to (1) file the original petition,¹ (2) pay the required filing fee, and (3) to inform this court in writing regarding the status of this writ petition, all by February 15, 2007.

To date, Mr. Weatherford has failed to file the original petition. On February 26, 2007, Mr. Weatherford paid \$200 of the \$250 filing fee. On that date, Mr. Weatherford was informed by the clerk's office that an additional \$50 was due. See NRS 2.250(1)(a) and (c)(1) (the clerk of this court shall receive \$250 in total fees for the docketing of a

¹An emergency petition for a writ of prohibition or, in the alternative, a writ of mandamus, was filed through telephonic transmission pursuant to NRAP 25(2) on December 26, 2006.

special proceeding such as a writ of mandamus or prohibition). To date, Mr. Weatherford has not paid the remainder of the filing fee.

Also on February 26, 2007, Mr. Weatherford filed an untimely motion for voluntary dismissal of this writ petition.² The motion was not accompanied by proof of service on respondents or the real party in interest. Accordingly, the clerk issued a written notice to Mr. Weatherford directing him to provide proof of such service by March 8, 2007. To date, Mr. Weatherford has failed to provide proof of such service. In the interest of judicial efficiency, we waive the requirement that Mr. Weatherford provide proof of service of the motion to dismiss this writ petition. However, we strongly admonish Mr. Weatherford for failing to comply with the clerk's notice directing him to do so.

In support of the motion to dismiss this writ petition, Mr. Weatherford confirms that "the underlying issue causing the Petitioner to seek the writ is now moot." Cause appearing, petitioner's motion for a voluntary dismissal of this writ proceeding is granted. This writ proceeding is dismissed. NRAP 42(b).

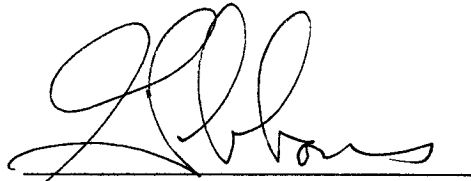
Our dismissal of this matter does not relieve Mr. Weatherford of his outstanding obligations. Within 10 days from the date of this order, Mr. Weatherford shall file the original copy of the writ petition that was filed by telephonic transmission and pay the remaining \$50 of the required filing fee. If Mr. Weatherford does not accomplish the foregoing, he shall,

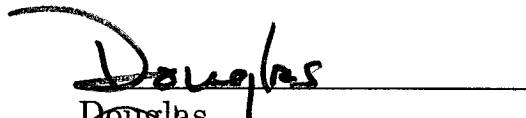
²As noted in our February 5, 2007, order, an appropriate method of informing this court of the status of the petition was filing a voluntary motion to dismiss the petition.

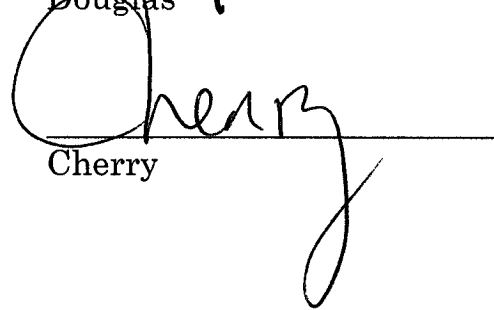
within the same time period, show cause why sanctions should not be imposed against him.

We strongly admonish Mr. Weatherford for his continuing failure to comply with our rules, notices and orders and caution him that failure to comply with this order may result in the imposition of sanctions, including monetary sanctions and/or referral to the State Bar of Nevada for investigation.

It is so ORDERED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Michelle Leavitt, District Judge
Robert W. Weatherford
John Peter Lee Ltd.
Law Offices of James J. Lee
Eighth District Court Clerk