

IN THE SUPREME COURT OF THE STATE OF NEVADA

ETT, INC.,
Appellant,

vs.

JUAN DELEGADO, INDIVIDUALLY
AND AS SPECIAL ADMINISTRATOR
OF THE ESTATE OF ROSA
DELEGADO; AND ARIZONA LABOR
FORCE, INCORPORATED, D/B/A
LABOR EXPRESS,
Respondents.

No. 46901

FILED

MAR 20 2007

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

No. 48880

JUAN DELEGADO, INDIVIDUALLY
AND AS SPECIAL ADMINISTRATOR
OF THE ESTATE OF ROSA
DELEGADO,
Appellant,

vs.

TERRIBLE HERBST, INC., A NEVADA
CORPORATION; HERBST SUPPLY,
INC.; AND ETT, INC.,
Respondents.

ORDER ADMINISTRATIVELY CLOSING DOCKET NO. 48880

On March 7, 2006, ETT, Inc., filed a notice of appeal from a judgment on a jury verdict entered on February 17, 2006, in district court case number A437408. That notice of appeal was docketed in this court as Docket No. 46901. Subsequently, ETT filed two amended notices of appeal—one on August 17, 2006, that included an order denying a motion for new trial, and another on January 22, 2007, that included an amended judgment on the jury verdict, order and NRCP 54(b) certification. Those amended notices were also docketed in No. 46901.

On February 2, 2007, Juan Delegado filed a notice of appeal from the amended judgment on the jury verdict in district court case

number A437408—the same amended judgment identified in ETT’s second amended notice of appeal filed on January 22, 2007. Although Delegado’s notice of appeal challenges the same judgment in the same district court case as ETT’s second amended notice of appeal and is thus a cross-appeal, Delegado’s notice of appeal was inadvertently docketed as a separate appeal under Docket No. 48880. See NRAP 12(a)(2) (providing that “[c]ross-appeals will be filed under the same docket number”).

Cause appearing, the clerk shall transfer the notice of appeal, docketing statement, and certificate of no transcript request filed under Docket No. 48880 to Docket No. 46901. In doing so, the clerk shall not redesignate the parties in No. 46901. See NRAP 28(h); NRAP 12(a)(2). Further, cause appearing, we administratively close the appeal in Docket No. 48880.

It is so ORDERED.

Maurin, C.J.

cc: Hon. Elizabeth Goff Gonzalez, District Judge
William C. Turner, Settlement Judge
Beckley Singleton, Chtd./Las Vegas
Parnell & Associates
Lemons Grundy & Eisenberg
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP
Parker Nelson & Arin, Chtd.
Eighth District Court Clerk