

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER LICATA,  
Appellant,  
vs.  
JEROME F. ZIARKO, D.O. AN  
INDIVIDUAL,  
Respondent.

No. 49636

**FILED**

APR 24 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Tracie K. Lindeman  
DEPUTY CLERK

ORDER DISMISSING APPEAL

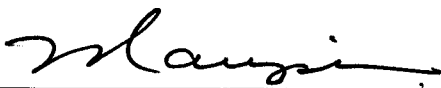
On December 21, 2007, this court entered an order that, among other things, granted a motion by appellant's counsel to withdraw from representing appellant in this appeal. That order also directed appellant to retain new counsel and cause counsel to file a notice of appearance with this court, or inform this court that he will be proceeding in proper person, within 30 days.

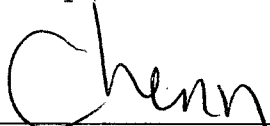
On February 25, 2008, appellant submitted a proper person letter requesting a "withdrawal of the appeal." In the letter, appellant stated that he has been unable to find an attorney to replace his prior counsel, and that he is "unqualified to present before the court."


In our order of March 4, 2008, we elected to treat appellant's letter as a motion for a voluntary dismissal of this appeal pursuant to NRAP 42(b). However, we denied the motion, as it appeared that appellant misunderstood his right to proceed in proper person, and we directed appellant to inform this court by March 24, 2008, whether he (1) wishes for this appeal to proceed in proper person, or (2) still wishes to dismiss this appeal. Our order cautioned appellant that failure to timely comply with that order may result in this appeal being dismissed as abandoned.

To date, appellant has failed to respond to our March 4, 2008, order, or otherwise communicate with this court. Accordingly, this appeal is dismissed as abandoned.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Cherry

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

cc: Hon. Jackie Glass, District Judge  
Nathaniel J. Reed, Settlement Judge  
Peter Licata  
Gugino Law Firm  
Eighth District Court Clerk