

IN THE SUPREME COURT OF THE STATE OF NEVADA

LARRY WELENC,  
Appellant,

vs.

THE HONORABLE NANCY C.  
OESTERLE, JUSTICE OF THE PEACE;  
SHERIFF JERRY KELLER; LAS  
VEGAS METROPOLITAN POLICE  
DEPARTMENT; RIO SUITE HOTEL &  
CASINO; AND SAN REMO LAS VEGAS  
HOTEL CASINO RESORT,  
Respondents.

No. 49699

**FILED**

SEP 07 2007

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY J. Alvarado  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order that, among other things, dismissed the underlying case. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Appellant's notice of appeal was filed in this court on June 26, 2007. 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.<sup>1</sup> 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

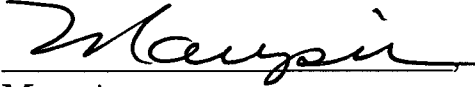
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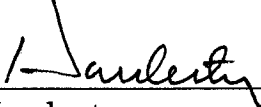
<sup>1</sup>See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005). See also ADKT No. 385 (Order Extending Pilot Program for Civil Proper Person Appeals, May 10, 2006) (extending the pilot program for civil appeals, which was scheduled to conclude on June 13, 2006, until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

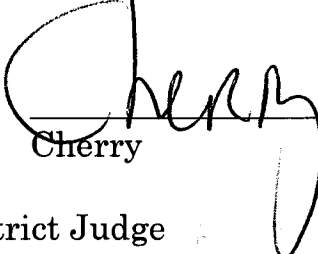
was filed in this court.<sup>2</sup> The instructions further explained that if appellant failed to file the appeal statement by that date, this court would dismiss the appeal.<sup>3</sup>

Appellant's appeal statement was due on August 6, 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.<sup>4</sup>

  
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Maupin C.J.

  
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Hardesty J.

  
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Cherry J.

cc: Hon. Michelle Leavitt, District Judge  
Larry Welenc  
Clark County District Attorney David J. Roger/Civil Division  
Olson, Cannon, Gormley & Desruisseaux  
Smith Currie & Hancock LLP/Las Vegas  
Eighth District Court Clerk

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

<sup>3</sup>Id.

<sup>4</sup>We note that appellant's failure to pay the filing fee constitutes an independent basis for dismissing this appeal.