

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN TAYLOR, AN INDIVIDUAL;  
AND VERONICA TORO, AN  
INDIVIDUAL,

Appellants,

vs.

AURELIO DELAROSA; AND JOSE  
SANDOVAL,

Respondents.

No. 50235

**FILED**

DEC 03 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER DISMISSING APPEAL AND REFERRING  
COUNSEL TO THE NEVADA STATE BAR

On February 21, 2008, this court entered an order imposing a conditional sanction of \$500 against appellants for failing to pay the filing fee or file the case appeal statement and docketing statement. See NRAP 3(a)(1); NRAP 3(f). In that order, we directed appellants to pay the filing fee within 10 days from that order; however, we waived the requirement for appellants to file a case appeal statement and a docketing statement as the settlement judge had filed a report indicating that parties had agreed to a settlement of this appeal. We noted that if appellants complied with that order, the conditional sanction would be automatically vacated.

Although appellants did not submit the filing fee or pay the \$500 sanction, on July 8, 2008, appellants filed a motion to voluntarily dismiss this appeal.<sup>1</sup> Accordingly, on August 22, 2008, we entered an order noting that while an appellant may at any time voluntarily dismiss

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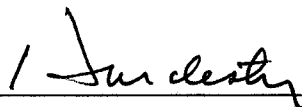
<sup>1</sup>In our February 21, 2008 order imposing the conditional sanction, in light of the settlement judge's report, we also directed appellants to file a motion or stipulation to dismiss the appeal within 30 days. Despite it being submitted more than 30 days from our order, appellants' motion was filed on July 8, 2008.

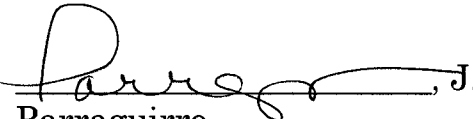
an appeal, an appeal shall not be dismissed until the parties first "pay whatever fees are due." NRAP 42(b). Accordingly, we directed appellants to pay the \$250 filing fee to the clerk of this court and the \$500 sanction to the Supreme Court Law Library and to provide this court with proof of such payment within 15 days of the date of that order. We deferred ruling on appellants' motion to voluntarily dismiss this appeal, pending payment of the filing fee and sanction. Finally, in that order, we caution appellants that failure to comply with that order may result in the imposition of additional sanctions, including but not limited to, referral to the Nevada State Bar for investigation.

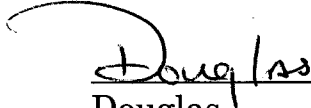
On October 14, 2008, counsel for appellants submitted the \$250 filing fee. As of the date of this order, however, the \$500 sanction has not been paid. Accordingly, we refer this matter to the Nevada State Bar for investigation.<sup>2</sup>

Finally, in the interest of judicial economy, we grant the motion for voluntary dismissal of this appeal. See NRAP 42. Accordingly, we dismiss this appeal.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

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<sup>2</sup> The clerk shall include copies of this court's February 21, 2008 and August 22, 2008, orders with the copy of this order that is mailed to Bar Counsel.

cc: Hon. James M. Bixler, District Judge  
Carolyn Worrell, Settlement Judge  
Randal R. Leonard  
Arneson & Associates  
McCormick, Barstow, Sheppard, Wayte & Carruth, LLP  
Supreme Court Law Library  
Bar Counsel, Nevada State Bar  
Eighth District Court Clerk