

IN THE SUPREME COURT OF THE STATE OF NEVADA

JANINE M. GUTSTEIN,  
Appellant,  
vs.  
SCOTT A. GUTSTEIN,  
Respondent.

No. 50315

FILED

JAN 30 2008

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

ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order denying appellant's motions in a child custody matter. Eighth Judicial District Court, Family Court Division, Clark County; William S. Potter, Judge.

Appellant's notice of appeal was transmitted by the district court and filed in this court on October 8, 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 her appeal statement within forty days from the date that her appeal was filed in this court.<sup>2</sup>

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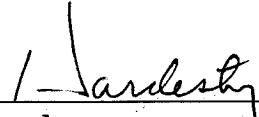
<sup>1</sup>See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005); see also ADKT No. 385 (Order Extending Pilot Program for Civil Proper Person Appeals, May 10, 2006) (extending the pilot program for civil appeals, which was scheduled to conclude on June 13, 2006, until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

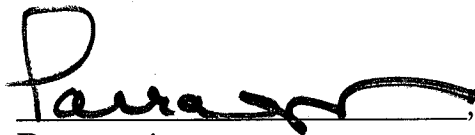
<sup>2</sup>See ADKT No. 385 (Order Establishing Pilot Program in Civil Appeals, June 10, 2005), Exhibit A (Instructions for Civil Litigants Without Attorneys).

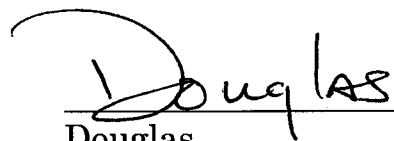
The instructions further explained that if appellant failed to file the appeal statement by that date, this court would dismiss the appeal.<sup>3</sup>

Appellant's appeal statement was due on November 19, 2007. To date, appellant has not filed an appeal statement or otherwise responded to this court's directive. Accordingly, we dismiss this appeal.<sup>4</sup>

It is so ORDERED.<sup>5</sup>

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

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

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

cc: Hon. William S. Potter, District Judge, Family Court Division  
Janine M. Gutstein  
Jeffrey Ian Shaner, Ltd.  
Eighth District Court Clerk

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<sup>3</sup>Id.

<sup>4</sup>We note that appellant's failure to pay a filing fee constitutes an independent ground for dismissal of this appeal.

<sup>5</sup>In light of this order, we deny as moot appellant's December 5, 2007 proper person motion to withdraw appeal, styled as a "notice of withdrawal."