

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUDY PRINCE,

Appellant,

vs.

MARK JOHN SMITH, AN  
INDIVIDUAL; AND ELAYNE P.  
EISELMAN, AN INDIVIDUAL,  
Respondents.

No. 34556

NOV 18 2002

NOV 18 2002

ORDER DISMISSING APPEAL

JANETTE H. BLOOM  
CLERK OF SUPREME COURT  
By *J. Richards*  
DEPUTY CLERK

On September 21, 2000, this court entered an order reinstating the briefing of this appeal as the parties were unable to agree a settlement. Pursuant to that order, the opening brief and appendix were due to be filed by January 19, 2001. Because the opening brief and appendix had not yet been filed, on April 18, 2001, this court entered an order directing appellant to file the opening brief and appendix by May 3, 2001. Appellant was cautioned that failure to comply with that order could result in the dismissal of this appeal as abandoned.


On May 7, 2001, appellant filed a motion for clarification. On February 15, 2002, this court entered an order denying the motion for clarification and directing appellant to file and serve the opening brief and appendix by March 7, 2002. Because appellant still had not filed the opening brief and appendix, on April 17, 2002, this court entered an order directing appellant to file and serve the opening brief and appendix by April 29, 2002. Appellant was again cautioned that failure to file the opening brief and appendix could result in the dismissal of this appeal as abandoned.

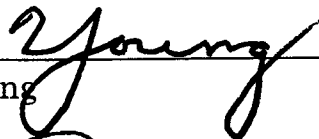
On April 29, 2002, appellant's counsel submitted a letter requesting additional time to file and serve the opening brief and

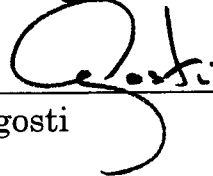
appendix. This court elected to treat the letter as a motion for an extension of time to file the opening brief and granted the motion on May 13, 2002. Pursuant to that order, the opening brief and appendix were due to be filed by May 29, 2002.

It has been over 2 years since the briefing of this appeal was reinstated and, to date, appellant has failed to file the opening brief and appendix. Further, appellant has not communicated with this court since April 29, 2002. Accordingly, we dismiss this appeal as abandoned.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Young

  
\_\_\_\_\_, J.  
Agosti

cc: Eighth Judicial District Court Department 12, District Judge  
Martin & Allison Ltd.  
Pyatt & Silvestri  
Clark County Clerk