

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAUNA CARTER, INDIVIDUALLY,  
Appellant,

vs.

BENSON, BERTOLDO, BAKER &  
CARTER, CHTD., A NEVADA  
CORPORATION LICENSED TO DO  
BUSINESS IN THE STATE OF  
NEVADA,

Respondent.

No. 50988

**FILED**

JAN 07 2009

TRACE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

On August 29, 2008, this court entered an order conditionally imposing sanctions on appellant for failure to file the transcript request form. Our order directed appellant to pay the sum of \$500.00 to the Supreme Court Law Library, and provide this court with proof of payment by September 15, 2008. However, these sanctions would be automatically vacated if appellant filed and served the transcript request form by September 8, 2008.


Appellant failed to file the transcript request form or provide this court with proof of payment of the sanctions. Accordingly, on October 14, 2008, this court entered an order directing counsel for appellant, Craig A. Mueller, to file the transcript request form, the overdue opening brief and appendix, and proof of payment of the sanctions by October 21, 2008.

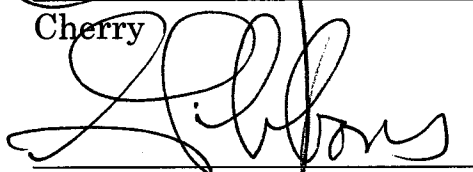
Mr. Mueller failed to comply with our October 14, 2008, order or otherwise communicate with this court. Accordingly, on November 14, 2008, this court entered an order referring Mr. Mueller to the State Bar of Nevada for investigation and directing Mr. Mueller to file and serve the transcript request form and opening brief and appendix by November 21,

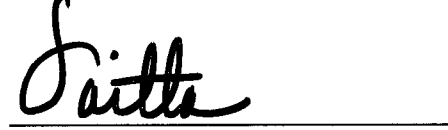
2008. Our order cautioned that failure to comply may result in the imposition of additional sanctions, including dismissal of this appeal as abandoned.

To date, appellant has failed to file the transcript request form and the opening brief and appendix.<sup>1</sup> Thus, it appears this appeal has been abandoned.<sup>2</sup> Accordingly, this appeal is dismissed.

It is so ORDERED.

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

  
\_\_\_\_\_, J.  
Gibbons

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

cc: Hon. Sally L. Loehrer, District Judge  
Robert Saint-Aubin, Settlement Judge  
Mueller Hinds & Associates  
Selman Breitman, LLP  
Eighth District Court Clerk  
Rob Bare, Bar Counsel

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<sup>1</sup>Mr. Mueller untimely paid the sanctions on November 25, 2008.

<sup>2</sup>We note that on September 24, 2008, the parties filed a stipulation purporting to dismiss this appeal in the district court, but have failed to file such a stipulation in this court.