

IN THE SUPREME COURT OF THE STATE OF NEVADA

PEZZILLO ROBINSON,
Appellant,
vs.
MAUI ONE EXCAVATING, INC.,
Respondent.

No. 52310

FILED

FEB 13 2009

TRACIE A. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

Appellant has filed a motion to voluntarily dismiss this appeal. In the motion, appellant acknowledges that the dismissal is with prejudice. We grant the motion and dismiss this appeal, each party to bear its own costs and fees, if any. NRAP 42(b).

It is so ORDERED.

[Signature: Cherry]
_____, J.
Cherry

[Signature: Saitta]
_____, J.
Saitta

[Signature: Gibbons]
_____, J.
Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Pezzillo Robinson
Clark Tatom, LLC
Eighth District Court Clerk