## IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN F. SHARKEY; CRAIG CALLAHAN AND ECHO CALLAHAN, HUSBAND AND WIFE; FREDERICK A. HURD AND JUANITA L. HURD, HUSBAND AND WIFE; GLORIA A. REMS; FRANK OMBOLI AND LANORA DALE OMBOLI, HUSBAND AND WIFE; VICTOR M. DAVILA AND MIRTA L. DAVILA, HUSBAND AND WIFE; LINDA L. EDGELL; GORDON L. COOK AND DEANNA L. COOK, HUSBAND AND WIFE; PAUL M. BERSON AND ZHO CHAO YAN, TRUSTEES OF THE BERSON FAMILY TRUST; ERNESTO SILVA AND EMILIA SILVA, HUSBAND AND WIFE; LARRY E. GEORGE: FRANK J. JOE AND SANDRA JOE, TRUSTEES OF THE JOE FAMILY TRUST; JESSICA MCCURRY; ANTHONY J. WILKINSON AND DIANE M. WILKINSON. HUSBAND AND WIFE; TIMOTHY SEAMAN, A MARRIED MAN; AND ANDREW FREYTAG. Appellants,

No. 52820

FILED

MAY 2 2 2009

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

VS

CITY OF RENO, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA, Respondent.

## ORDER DISMISSING APPEAL

This is an appeal from a district court order, certified as final under NRCP 54(b), granting a motion to dismiss in a real property action. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

When our review of the docketing statement and the documents submitted to this court pursuant to NRAP 3(e) revealed a jurisdictional defect, we directed appellants to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, NRCP 54(b)

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certification appeared improper, as no party had been completely removed from the action. Mallin v. Farmers Insurance Exchange, 106 Nev. 606, 797 P.2d 978 (1990).

In response to our show cause order, appellants have filed a document entitled "Withdrawal of Notice of Appeal," which we construe as a motion to voluntarily dismiss this appeal. Having reviewed appellants' motion, we grant it. Accordingly, this appeal is hereby dismissed. The parties shall bear their own costs and fees, if any. NRAP 42(b).

It is so ORDERED.

/ Surlesty, C.J.

cc: Hon. Brent T. Adams, District Judge James Georgeson, Settlement Judge Law Offices of Michael B. Springer Reno City Attorney Washoe District Court Clerk