

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH R. WYNN,
Appellant,
vs.
DALE JODI WYNN,
Respondent.

No. 53802

FILED

DEC 04 2009

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying appellant's motion to modify the minimum sale price of the marital home to an amount less than that specified in the parties' premarital agreement. Eighth Judicial District Court, Family Court Division, Clark County; Sandra L. Pomrenze, Judge.

On November 17, 2009, appellant, through his attorney, filed a motion to voluntarily dismiss the appeal without prejudice, acknowledging that the challenged order is interlocutory and not independently appealable. Appellant's motion is granted and this appeal is dismissed without prejudice to appellant's right to challenge the order in any subsequent appeal from a final judgment. The parties shall bear their own costs, if any. NRAP 42(b).

It is so ORDERED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Sandra L. Pomrenze, District Judge, Family Court Division
Carolyn Worrell, Settlement Judge
Jolley Urga Wirth Woodbury & Standish
Lemons Grundy & Eisenberg
Kunin & Carman
Lewis & Roca, LLP/Las Vegas
Eighth District Court Clerk