

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM R. JOY, AN INDIVIDUAL;
AND MADLYN J. LEE, AN
INDIVIDUAL,

Appellants,

vs.

JERRY WEAVER, AN INDIVIDUAL; AND
DIANE WEAVER, AN INDIVIDUAL,

Respondents.

No. 35045

FILED

MAR 02 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

On November 2, 1999, this court issued notices to appellants to submit, within ten days, the filing fee and the case appeal statement. Appellants have failed to submit the filing fee or the case appeal statement. On November 19, 1999, this court received a letter from appellants' counsel stating that "we are withdrawing our Amended Notice of Appeal filed with the District Court on October 27, 1999, and docketed in the Supreme Court on November 2, 1999." Although appellants' letter fails to comply with the procedures set forth in NRAP 42(b) for voluntary dismissal of an appeal, the letter clearly indicates that appellants have abandoned this appeal. Moreover, we note that this appeal arises from the same district court proceedings as the appeal in Docket No. 34960, which has been dismissed pursuant to a stipulation reached through the settlement conference procedure.

Accordingly, we hereby dismiss this appeal as abandoned. Because appellants' amended notice of appeal was

filed in conformity with NRAP 4(a)(4), appellants shall not be required to submit the filing fee in this appeal. See NRAP 3(f).

It is so ORDERED.

Mansin, J.

Shawing, J.

Becker, J.

cc: Hon. Lee A. Gates, District Judge
Aubrey Goldberg, Settlement Judge
Kerr & Associates
Kolesar & Leatham, Chtd.
Clark Co. Clerk