

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA MINING ASSOCIATION, INC.,  
A NEVADA NONPROFIT  
CORPORATION,  
Appellant,

No. 55732

vs.

ROBERT A. FULKERSON, AN  
INDIVIDUAL; PAMELA GALLOWAY, AN  
INDIVIDUAL; MICHAEL GINSBURG, AN  
INDIVIDUAL; HOWARD WATTS, III, AN  
INDIVIDUAL; THE PROGRESSIVE  
LEADERSHIP ALLIANCE OF NEVADA,  
A NEVADA NONPROFIT  
CORPORATION; NEVADANS FOR FAIR  
MINING TAXES, A NEVADA BALLOT  
ADVOCACY GROUP; AND ROSS  
MILLER, IN HIS CAPACITY AS  
SECRETARY OF STATE FOR THE  
STATE OF NEVADA,  
Respondents.

**FILED**

JUL 08 2010

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order granting in part and denying in part appellant's claims for declaratory and injunctive relief concerning a ballot initiative. First Judicial District Court, Carson City; James E. Wilson, Judge.

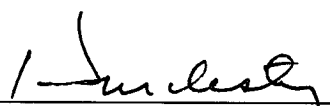
When it appeared that the initiative's proponents may not have obtained sufficient signatures to place the measure on the ballot, we directed appellant to show cause why this appeal should not be dismissed as moot. Appellant filed a timely response, which included confirmation from the measure's proponents that insufficient signatures were obtained and therefore the measure will not appear on the ballot. Appellant agrees that the appeal has been rendered moot and should be dismissed. Most of

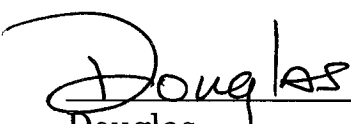
the respondents<sup>1</sup> filed a reply, affirming that insufficient signatures were obtained and that the measure will not appear on the ballot.


This court's duty is to decide actual controversies, not to give opinions on moot questions. See NCAA v. University of Nevada, 97 Nev. 56, 57, 624 P.2d 10, 10 (1981). Accordingly, we

ORDER this appeal DISMISSED.


  
Parraguirre, C.J.

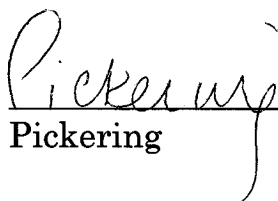
  
Hardesty, J.

  
Douglas, J.

  
Cherry, J.

  
Saitta, J.

  
Gibbons, J.

  
Pickering, J.

cc: Hon. James E. Wilson, District Judge  
Jones Vargas/Las Vegas  
Attorney General/Carson City  
Timothy D. Hay  
Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP  
Carson City Clerk

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<sup>1</sup>The reply was filed on behalf of all respondents except the Secretary of State.