

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35157

CARL ROTH,

Appellant,

vs.

RALPH LITTON, M.D.; AND VALLEY
HOSPITAL MEDICAL CENTER,

Respondents.

FILED

APR 14 2000


JANETTE M. BLOOM
CLERK OF SUPREME COURT
B. J. Shivers
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a special order after final judgment, denying in substantial part appellant's motion to retax costs. On February 17, 2000, this court ordered appellant to pay the filing fee mandated by NRS 2.250, or to demonstrate that the fee had already been paid, within ten (10) days from the date of the order. We cautioned appellant that failure to pay the fee, or to demonstrate that he had already paid the fee, could result in the dismissal of this appeal.

To date, appellant has failed to comply with the February 17, 2000, order. Consequently, we conclude that appellant has abandoned this appeal, and we


ORDER this appeal dismissed.¹



Maupin J.



Shearing J.



Becker J.

¹Our conclusion that appellant has abandoned this appeal is supported by the fact that appellant submitted a stipulation to dismiss this appeal with prejudice. Although the stipulation was defective, in that it was not executed on behalf of Valley Hospital Medical Center, it could be construed as a motion for voluntary dismissal of the appeal pursuant to NRAP 42(b).

cc: Hon. Valorie J. Vega, District Judge
Perry & Spann
Pico & Mitchell
Carl Roth
Clark County Clerk
Leslie Mark Stovall