

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMERICAN REALTY INVESTMENTS,  
INC.,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
STEVEN P. ELLIOTT, DISTRICT  
JUDGE,  
Respondents,  
and  
FAR EAST NATIONAL BANK,  
Real Party in Interest.

No. 57743

**FILED**

JAN 11 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Ingerson*  
DEPUTY CLERK

ORDER DISMISSING PETITION

This original petition for a writ of mandamus or prohibition challenges a district court order striking a peremptory challenge as untimely.

Real party in interest, Far East National Bank (FENB), has filed a motion, seeking to dismiss this petition without prejudice because it, as plaintiff below, has sought voluntary dismissal of the district court action under NRCP 41(a)(1), rendering this writ petition moot. The motion is supported by FENB's attorney's declaration that a notice of voluntary dismissal was filed in the district court on December 20, 2011. Having considered FENB's unopposed motion, we grant it. Accordingly, this

petition is hereby dismissed, with the parties to bear their own costs and fees. NRAP 42(b).

It is so ORDERED.

Cherry, J.  
Cherry

Pickering, J.  
Pickering

Hardesty, J.  
Hardesty

cc: Hon. Steven P. Elliott, District Judge  
Jones Vargas/Reno  
Lewis & Roca, LLP/Reno  
Shea & Carlyon, Ltd.  
Franzel Robins Bloom & Csato, L.C.  
Washoe District Court Clerk