

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH F. NASCIMENTO,  
Appellant,  
vs.  
WELLS FARGO BANK, NA,  
Respondent.

No. 57790

**FILED**

JAN 17 2012

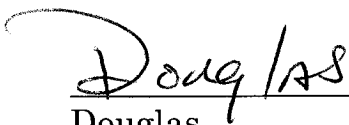
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *H. Ingerson*  
DEPUTY CLERK


ORDER DISMISSING APPEAL

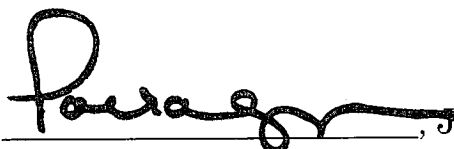
This is an appeal from a district court post-judgment order denying sanctions or other "equitable relief." Eighth Judicial District Court, Clark County; Michael Villani, Judge.

On June 27, 2011, appellant filed a notice that the underlying district court action had been removed to federal court. This court is thereby barred from any further action in the matter. 28 U.S.C. § 1446(d) (2006). We therefore conclude that, to avoid having this matter linger on our docket, a dismissal, without prejudice to the appeal's reinstatement should the case be remanded to state court, is appropriate. Accordingly, we hereby dismiss this appeal, without prejudice to any party's right to file a motion to reinstate the appeal within 30 days from the date of any remand to state court by the federal court.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Michael Villani, District Judge  
Robert F. Saint-Aubin, Settlement Judge  
Benjamin B. Childs  
Snell & Wilmer, LLP/Las Vegas  
Eighth District Court Clerk