

IN THE SUPREME COURT OF THE STATE OF NEVADA

ATTORNEY GENERAL OF THE STATE
OF NEVADA, FRANKIE SUE DEL
PAPA; AND THE STATE OF NEVADA,
EX REL., THE DEPARTMENT OF
CONSERVATION AND NATURAL
RESOURCES, A DEPARTMENT OF
THE EXECUTIVE BRANCH OF THE
STATE OF NEVADA,

Appellants,

vs.

EUREKA COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
NEVADA, ACTING BY AND THROUGH
THE EUREKA COUNTY BOARD OF
COMMISSIONERS,

Respondent.

No. 35293

FILED

OCT 01 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

The parties to this appeal have filed a joint motion to dismiss this appeal and remand this matter to the district court for entry of an order vacating its judgment and dismissing this matter with prejudice. The parties' motion is accompanied by an order of the district court certifying that upon remand it is inclined to grant the parties' requested relief. See Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978).

Cause appearing, we grant the parties' motion. Accordingly, we remand this matter to the district court pursuant to its certification, and we order this appeal dismissed. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

Young

Young J.

Agosti

Agosti J.

Leavitt

Leavitt J.

cc: Hon. Michael R. Griffin, District Judge
Attorney General, Carson City
Lansford W. Levitt, Settlement Judge
Allison MacKenzie Hartman Soumbeniotis & Russell
Carson City Clerk