

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH MONZO AND STEVEN MONZO,

Appellants,

vs.

RANCHO LAS PALMAS NEIGHBORHOOD  
HOMEOWNERS ASSOCIATION,

Respondent.

No. 35393

**FILED**

DEC 29 1999

*[Signature]*  
CLERK OF SUPREME COURT  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of the Eighth Judicial District Court entered in Case No. A318256 on March 6, 1995. Appellants filed the notice of appeal with the clerk of the district court on April 5, 1995. Thereafter, appellants failed to take necessary steps to cause the record on appeal to be transmitted to the clerk of this court. See NRAP 11(a)<sup>1</sup>; see also, City of Las Vegas v. Int'l Ass'n Firefighters, 110 Nev. 449, 874 P.2d 735 (1994) (the Nevada Rules of Appellate Procedure place the burden of ensuring timely transmission of the record on appeal on the appellant). Consequently, this appeal was never docketed with this court.

The district court clerk recently made this court aware of the existence of this appeal and transmitted to the clerk of this court an abbreviated record. Cause appearing, the clerk of this court shall docket the appeal and file the abbreviated record. Nevertheless, appellants having failed to take any steps in furtherance of the prosecution of this appeal, we hereby dismiss this appeal as abandoned.<sup>2</sup> See NRAP

<sup>1</sup> The Nevada Rules of Appellate Procedure in effect prior to the September 1, 1996, revisions and amendments govern this appeal.

<sup>2</sup> The district court docket entries included in the abbreviated record indicates that a satisfaction of arbitration award was filed on June 5, 1998, in the district court. The

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3(a) (while failure to take any steps other than the filing of a notice of appeal does not affect the appeal's validity, it may be grounds for dismissal of the appeal).

It is so ORDERED.

Maupin, J.  
Shearing, J.  
Becker, J.

cc: Hon. Mark Gibbons, District Judge  
Monsey & Andrews  
Woodburn & Wedge  
David G. Johnson  
Clark County Clerk

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filing of the satisfaction of arbitration award did not, by itself, render the April 5, 1995, notice of appeal invalid.