

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRY HELMS,  
Appellant/Cross-  
Respondent,  
vs.  
GERALD SIEFKER,  
Respondent/Cross-  
Appellant.

No. 35430

FILED

AUG 16 2005

STATE OF NEVADA  
CLERK OF SUPREME COURT  
*J. Richards*  
CLERK

ORDER DISMISSING APPEAL AND CROSS-APPEAL

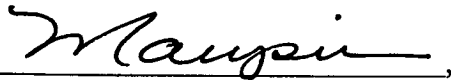
On September 19, 2000, this court noted that this appeal is stayed pursuant to the mandatory provisions of federal bankruptcy law. See 11 U.S.C. § 362(a). On May 25, 2005, respondent/cross-appellant (respondent) filed a status report informing this court that the bankruptcy proceeding is still pending. Respondent also represents in the status report that “there is approximately one month remaining under [respondent’s] bankruptcy plan” and then this appeal and cross-appeal will be rendered moot.

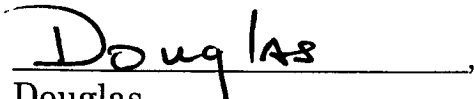
On July 12, 2005, the parties filed a stipulation to dismiss this appeal and cross-appeal. Based on respondent’s representations in the May 25, 2005, status report, it appears that respondent’s bankruptcy proceeding has now been completed and that he has been granted a discharge. Accordingly, this appeal and cross-appeal may now proceed. See 11 U.S.C. § 362(c)(2) (The automatic stay ends when the bankruptcy case is closed, dismissed, or the debtor receives a discharge).

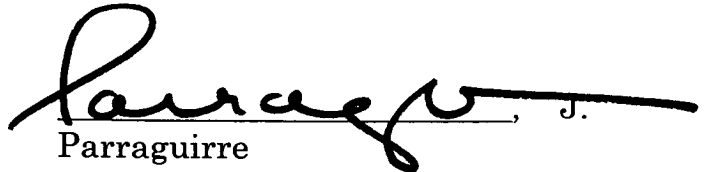
Cause appearing, we approve the stipulation to dismiss this appeal and cross-appeal. The appeal and cross-appeal are dismissed. The

parties shall bear their own costs and attorney fees. NRAP 42(b)

It is so ORDERED.

  
\_\_\_\_\_, J.  
Maupin

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

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

cc: Eighth Judicial District Court Dept. 19, District Judge  
David K. Robinson, Settlement Judge  
Jolley Urga Wirth Woodbury & Standish  
Hardy & Hardy  
Clark County Clerk