

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD CHERCHIO,  
Appellant,  
vs.  
WADE WAGNER,  
Respondent.

No. 60006

**FILED**

**AUG 08 2012**

TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angel*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

On July 11, 2012, this court entered an order imposing sanctions on appellant's counsel for failing to respond to our May 16, 2012, order directing counsel to file the opening brief and appendix. Pursuant to the July 11 order, the sanction would be automatically vacated if appellant's counsel filed and served the opening brief and appendix within 11 days from the date of the order. Within that time period, the parties filed in this court a stipulation agreeing to dismiss this appeal. Under these circumstances, we vacate our July 11 order imposing conditional sanctions on appellant's counsel. Additionally, having considered the stipulation, we approve it. Accordingly, this appeal is hereby dismissed. NRAP 42(b).

It is so ORDERED.

*Douglas*, J.  
Douglas

*Gibbons*, J.  
Gibbons

*Parraguirre*, J.  
Parraguirre

cc: Hon. Susan Scann, District Judge  
Callister & Associates  
Pisanelli Bice, PLLC  
Eighth District Court Clerk