

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES ARTHUR MORALES, A/K/A
JAMES HARRIS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 35512

FILED

MAR 23 2000

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

ORDER DISMISSING APPEAL

This is an appeal from an order denying a pretrial petition for a writ of habeas corpus, entered on March 26, 1996, in Eighth Judicial District Court Case No. C133020. Appellant, through attorney John N. McNicholas, filed the notice of appeal with the clerk of the district court on March 22, 1996. Thereafter, appellant failed to take necessary steps to cause the record on appeal to be transmitted to the clerk of this court. See NRAP 11(a)¹; 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, the notice of appeal was not received or docketed in this court until January 19, 2000.

On this same date, this court entered an order directing attorney McNicholas to inform this court in writing, within twenty (20) days, of the status of this appeal. On January 28, 2000, attorney McNicholas filed a document entitled "dismissal of appeal" which states that "appellant . . . hereby

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

dismisses the appeal." Accordingly, cause appearing, we order
this appeal dismissed.

It is so ORDERED.

Young, J.
Quinn, J.
Leavitt, J.

cc: Hon. Donald M. Mosley, District Judge
Attorney General
Clark County District Attorney
John N. McNicholas
Clark County Clerk