

IN THE SUPREME COURT OF THE STATE OF NEVADA

MI WINDOWS AND DOORS, INC.

D/B/A BETTERBILT,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

CLARK; AND THE HONORABLE

TIMOTHY C. WILLIAMS, DISTRICT
JUDGE,

Respondents,

and

PINNACLE-AURORA II LIMITED
PARTNERSHIP, A NEVADA LIMITED

PARTNERSHIP; AND PINNACLE

HOMES, INC., A NEVADA

CORPORATION,

Real Parties in Interest.

No. 60311

FILED

AUG 08 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION

This original petition for a writ of mandamus, or alternatively, prohibition, challenges a district court order denying a motion to dismiss in a real property action. Real parties in interest Pinnacle-Aurora II Limited Partnership and Pinnacle Homes, Inc., filed a motion to dismiss this petition, arguing that real parties in interest and petitioner stipulated to the dismissal of all the claims between them in the district court. Real parties in interest attached to their motion a copy of the district court order dismissing real parties in interest's claims against petitioner. Petitioner did not oppose real parties in interest's motion. Having reviewed the motion and the attached order, we grant the motion as

petitioner's dismissal from the underlying district court action renders this petition moot. Accordingly, we

ORDER this petition DISMISSED.¹



_____, J.
Douglas



_____, J.
Gibbons



_____, J.
Parraguirre

cc: Hon. Timothy C. Williams, District Judge
Thorndal Armstrong Delk Balkenbush & Eisinger/Las Vegas
Craig D. Guenther, P.C.
Koeller Nebeker Carlson & Haluck, LLP/Las Vegas
Eighth District Court Clerk

¹In light of this order, the parties' stipulation to extend the time for petitioner to file a reply in support of the petition is disapproved as moot.