

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE ATHAN, SR., A/K/A GEORGE
ATHAN,

No. 35616

Appellant,

vs.

EDWIN H. MCLEOD,

Respondent.

FILED

FEB 20 2002

JANE F. M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

On January 2, 2001, appellant filed a status report regarding appellant's bankruptcy proceeding. Attached to the status report was a copy of a "Discharge of Debtor" filed in the United States Bankruptcy Court, Southern District of California on September 25, 2000. Pursuant to order of this court, on May 30, 2001, appellant filed a notice informing this court concerning the effect of the "Discharge of Debtor" on this appeal. In the notice, appellant states that "the discharge of the debtor in the bankruptcy proceeding 'voids' the judgment entered by the Trial Court in this action" and "[t]herefore, this Court should dismiss this appeal." Because the "Discharge of Debtor" is a final disposition of the bankruptcy proceedings, we lift the bankruptcy stay. Further, because it appears that the judgment appealed from has been made "void" as a result of the "Discharge of Debtor", and appellant is enjoined from continuing this action, we order this appeal dismissed. See 11 U.S.C. §524(a)(2).

It is so ORDERED.

Shearing

Shearing J.

Rose

Rose J.

Becker

Becker J.

cc: Hon. Brent T. Adams, District Judge
Bamberg & Associates
Stephen C. Amesbury
J. Douglas Clark Jr.
Washoe District Court Clerk