

IN THE SUPREME COURT OF THE STATE OF NEVADA

HORN COMPANY, A NEVADA
CORPORATION,

No. 35675

Appellant,

vs.

TOPOLEWSKI AMERICA, INC.,

Respondent.

FILED

DEC 06 2001

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

ORDER DISMISSING APPEAL

On May 26, 2000, this court ordered this appeal stayed pursuant to the mandatory provisions of federal bankruptcy law. See 11 U.S.C. § 362(a). On July 12, 2001, appellant filed a status report informing this court that the United States Bankruptcy Court entered a Discharge of Debtor order on January 23, 2001. Attached to the report is a copy of the bankruptcy court's order. Because the bankruptcy proceeding is resolved, the automatic stay is no longer in effect.

Appellant has filed a motion to voluntarily dismiss this appeal, stating that the judgment which is the subject of this appeal was fully and finally discharged by the Discharge of Debtor order. Pursuant to appellant's motion and cause appearing, we dismiss this appeal. NRAP 42(b).

It is so ORDERED.

Young

Young J.

Agosti

Agosti J.

Leavitt

Leavitt J.

cc: Hon. Gene T. Porter, District Judge
Jimmerson Hansen
Kravitz Schnitzer & Sloane, Chtd.
Clark County Clerk

01-20457