

IN THE SUPREME COURT OF THE STATE OF NEVADA

JULIE LIEBES IRVIN,

Appellant,

vs.

JOHN ROBERT IRVIN,

Respondent.

No. 35714

FILED

NOV 06 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *J. Richardson*
CHIEF DEPUTY CLERK

ORDER GRANTING MOTION AND DISMISSING APPEAL

On May 29, 2001, we entered an order reinstating briefing as the parties were unable to agree to a settlement of this appeal. Pursuant to that order, the opening brief and appendix were due to be filed by August 27, 2001. To date, appellant has failed to file the opening brief and appendix.

On October 2, 2001, respondent filed a motion to dismiss this appeal. Respondent requests dismissal "on the grounds that the appellant has failed to file an opening brief within the time provided by Rule 31(a)(2) of the Nevada Rules of Appellate Procedure and has not sought nor obtained an order granting her additional time within which to do so." Appellant has not opposed the motion. Good cause appearing, we grant respondent's unopposed motion and dismiss this appeal. See NRAP 31(c).

It is so ORDERED.

Shearing J.

Shearing

Rose J.

Rose

Becker J.

Becker

cc: Hon. Archie E. Blake, District Judge
James F. Sloan
Woodburn & Wedge
Churchill County Clerk