

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIEL V. MERRY,  
Appellant,  
vs.  
K. WIDMAR, INVESTIGATOR FOR  
INVESTIGATORS GENERAL AT  
CENTRAL OFFICE FOR NDOC; LT.  
SENIOR CORRECTIONAL OFFICER  
JOHN HENLEY; HEARING  
DISCIPLINARY HEARING SERGEANT  
OFFICER EUGENE MURGIA;  
CORRECTIONS OFFICERS  
RODRIGUES; MECCA; VIRDARRI;  
ESCUDIA; LT. ARGUELLA; INMATES  
DAVID BARNHARTT; KEVIN PAME;  
MIKE MENESES (ALL LIVING IN  
SAME CELL AS PETITIONER); AND  
DUSTIN GONGAWARE, WHO LIVED  
IN SAME UNIT AS PETITIONER, BUT  
LIVED DOWN THE HALL FROM  
PETITIONER'S CELL,  
Respondents.

No. 62816

**FILED**

MAY 24 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Angela  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

Appellant's April 12, 2013, motion to voluntarily dismiss this appeal is granted. Accordingly, this appeal is hereby dismissed, with the parties to bear their own costs and fees. NRAP 42(b).

It is so ORDERED.

Pickering, C.J.

cc: Hon. James Todd Russell, District Judge  
Daniel V. Merry  
Attorney General/Carson City  
Carson City Clerk