

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 36026

RONALD DAVID ROST,

Appellant,

vs.

CITY OF HENDERSON,

Respondent.

FILED

JUN 15 2000

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

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court affirming a municipal court conviction. Our preliminary review revealed a potential jurisdictional defect.

The district courts have final appellate jurisdiction in cases arising in justice's and municipal courts. See Nev. Const. art. 6, § 6; Tripp v. City of Sparks, 92 Nev. 362, 550 P.2d 419 (1976); Waugh v. Casazza, 85 Nev. 520, 458 P.2d 359 (1969). When the district court acts in its appellate capacity, this court lacks appellate jurisdiction over the district court.

Accordingly, we ordered counsel for appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. On May 30, 2000, counsel for appellant filed a motion to withdraw this appeal. Cause appearing, the motion is granted, and we

ORDER this appeal dismissed.

<i>Young</i>	_____	J.
Young		
<i>Agosti</i>	_____	J.
Agosti		
<i>Leavitt</i>	_____	J.
Leavitt		

cc: Hon. Kathy A. Hardcastle, District Judge
Henderson City Attorney
Dempsey Roberts & Smith
Clark County Clerk