

IN THE SUPREME COURT OF THE STATE OF NEVADA

WANDERLEI SILVA,
Appellant/Cross-Respondent,
vs.
BOB BENNETT, EXECUTIVE
DIRECTOR FOR THE ATHLETIC
COMMISSION OF THE DEPARTMENT
OF BUSINESS AND INDUSTRY,
STATE OF NEVADA; AND NEVADA
STATE ATHLETIC COMMISSION,
Respondents/Cross-Appellants.

No. 68058

FILED

OCT 06 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DISMISSING APPEAL AND CROSS-APPEAL


This is an appeal and cross-appeal from a district court order granting in part and denying in part a petition for judicial review of a decision of the Nevada State Athletic Commission and remanding for rehearing of appropriate discipline.

When our preliminary review of the docketing statement and documents submitted to this court revealed a potential jurisdictional defect, we ordered the parties to show cause why this appeal and cross-appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the district court's order was not appealable as a final judgment because it remands the matter for further substantive proceedings. *See Bally's Grand Hotel v. Reeves*, 112 Nev. 1487, 929 P.2d 936 (1996); *State, Taxicab Auth. V. Greenspun*, 109 Nev. 1022, 862 P.2d 423 (1993). In response to our order, appellant has filed a notice of withdrawal of appeal in which he concedes that the district court's order is not final and thus not appealable. Cross-appellant has filed a notice of withdrawal of the cross-appeal.

The notices of withdrawal are treated as motions for voluntary withdrawals. The motions are granted and this appeal and cross-appeal are dismissed.

It is so ORDERED.


_____, J.
Saitta


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Kerry Louise Earley, District Judge
Goodman Law Group
Attorney General/Transportation Division/Las Vegas
Eighth District Court Clerk