

IN THE SUPREME COURT OF THE STATE OF NEVADA

PATRICIA FRIEDMUTTER,
Appellant,
vs.
CECILE CROWE,
Respondent.

No. 36847

FILED

AUG 14 2002

ORDER DISMISSING APPEAL

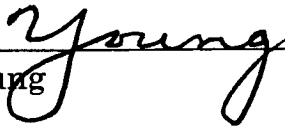
JANE E. M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

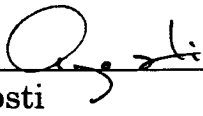
On December 27, 2001 and January 11, 2002, respondent filed motions to dismiss this appeal, contending that the United States Bankruptcy Court had specifically prohibited appellant from pursuing this appeal and that, therefore, this appeal should be dismissed. On March 20, 2002, we entered an order noting that a nonbankruptcy court may not dismiss, but may only stay an action subject to the automatic bankruptcy stay. See Traweek v. Finley, Kumble, Wagner, Heine, Underberg, Manley, Myerson & Casey, 1 Cal. Rptr. 185, 188 (Cal. Dist. App. 1991). Because the bankruptcy court order attached to the motions did not lift the automatic bankruptcy stay, we denied the motions and ordered this appeal stayed pursuant to the mandatory provisions of federal bankruptcy law. See U.S.C. § 362(a). The order noted that without a bankruptcy court order lifting the automatic stay or containing a directive that this appeal be dismissed, this court is unable to grant any requests to dismiss this appeal.


On June 20, 2002, respondent filed a third motion to dismiss this appeal, accompanied by an order of the bankruptcy court stating that the automatic bankruptcy stay "is terminated for the purposes of dismissing the Debtor Patricia Friedmutter's appeal in Nevada State

Supreme Court Case No. 36847.” Accordingly, cause appearing, we grant respondent’s unopposed motion, and we dismiss this appeal.

It is so ORDERED.

 _____, J.
Young

 _____, J.
Agosti

 _____, J.
Leavitt

cc: Eighth Judicial District Court Department 12, District Judge
Michael D. Davidson, Settlement Judge
Jason A. Awad & Associates
Edwards, Hale, Sturman, Atkin & Cushing, Ltd.
Marquis & Aurbach
Clark County Clerk