

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID SCOTT WESTBROOK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71751

FILED

JAN 30 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order reversing an order of the justice court and remanding for further proceedings. Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

On December 8, 2016, this court entered an order directing appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. The order noted that the district court has final appellate jurisdiction over a case arising in the justice court. Nev. Const. art. 6, § 6; *Tripp v. City of Sparks*, 92 Nev. 362, 363, 550 P.2d 419, 419 (1976). In response to the order to show cause, appellant's counsel has filed a notice of withdrawal of appeal, which we construe as a motion to voluntarily withdraw the appeal. Cause appearing, the motion is granted. This appeal is dismissed. NRAP 42(b).

It is so ORDERED.

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Hon. Robert W. Lane, District Judge
Weiner Law Group, LLC
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk