

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK TANSEY,

Appellant,

vs.

SANDRA BLAKE,

Respondent.

No. 37236

FILED

JAN 02 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

On January 2, 2001, the clerk of this court issued notices directing appellant to pay the \$200 filing fee and to file a case appeal statement with the district court and file two copies of the case appeal statement with this court. Appellant failed to comply with the notices. Accordingly, on February 20, 2001, we entered an order again directing appellant to pay the filing fee and to file a case appeal statement. In response to the order, counsel for appellant submitted a letter on March 7, 2001, in which he enclosed copies of a case appeal statement and a receipt for the \$250 cost bond filed with the district court on November 7, 2000. The documents attached to counsel's letter, however, related to Docket No. 36987, a separate appeal involving the same parties. Accordingly, on April 3, 2001, this court issued a letter to appellant's counsel noting counsel's error, explaining that the filing fee and case appeal statement were still due in the instant matter (Docket No. 37236) and requesting compliance with the February 20, 2001, order as soon as possible.

On August 14, 2001, we entered an order reinstating briefing as the parties were unable to agree to a settlement. Because appellant still had not paid the filing fee or filed the case appeal statement, we again directed appellant to pay the filing fee and file a case appeal statement within 10 days of the date of that order. We further cautioned appellant that failure to comply with that order would likely result in the dismissal of this appeal as abandoned.

On September 14, 2001, appellant filed a reply to our August 14, 2001, order. Along with the reply, appellant again attached a copy of the case appeal statement and a copy of the receipt for the \$250 cost bond in Docket No. 36987. Appellant's counsel argued that because he filed an

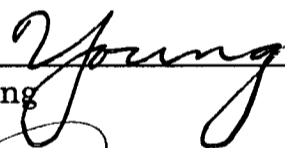
02-0036

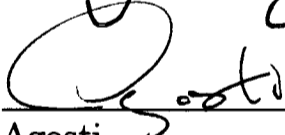
"Amended Notice of Appeal" that an additional filing fee and case appeal statement were not necessary. On October 17, 2001, we entered an order that informed appellant's counsel that he must file a separate filing fee and case appeal statement because the order identified in the "Amended Notice of Appeal" is independently appealable as a special order made after final judgment. Appellant was cautioned that failure to pay the filing fee and file the case appeal statement by October 24, 2001, could result in the dismissal of this appeal as abandoned.

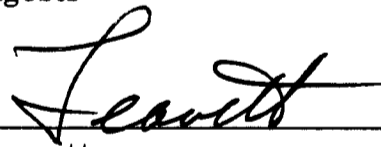
On July 13, 2001, this court issued a notice directing appellant to file a docketing statement within 15 days. Because appellant had not yet complied with our July 13, 2001, notice, our October 17, 2001, order directed appellant to file the docketing statement within 7 days of the date of that order. Appellant was cautioned that failure to timely file the docketing statement could result in the dismissal of this appeal as abandoned.

To date, appellant has failed to pay the filing fee, file the case appeal statement, file the docketing statement, or otherwise respond to our October 17, 2001, order. Accordingly, we dismiss this appeal as abandoned.

It is so ORDERED.


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Valorie Vega, District Judge
Victor Lee Miller
Edwards, Hale, Sturman, Atkin & Cushing, Ltd.
Clark County Clerk