

IN THE SUPREME COURT OF THE STATE OF NEVADA

ASTON NEVADA LIMITED
PARTNERSHIP, A NEVADA LIMITED
PARTNERSHIP,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
JAMES C. MAHAN, DISTRICT JUDGE,

Respondents,

and

RUSSELL PALM PROFESSIONAL
COURT LLC, A NEVADA LIMITED
LIABILITY COMPANY,

Real Party in Interest.

No. 37640

FILED

NOV 07 2001

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

**ORDER DISMISSING PETITION FOR
WRIT OF MANDAMUS OR PROHIBITION
AND DIRECTING PETITIONER'S COUNSEL
TO SHOW CAUSE REGARDING SANCTIONS**

This original petition for a writ of mandamus or prohibition, filed April 2, 2001, challenges the district court's order denying petitioner's motion to expunge a lis pendens and to terminate escrow. On September 18, 2001, after reviewing the seventeen-page petition and two volumes of supporting exhibits, we directed the real party in interest to file an answer. In response, petitioner and the real party in interest's counsel and bankruptcy trustee filed a stipulated motion to dismiss the petition on the basis that the district court, on April 24, 2001, had granted petitioner's "Supplemental Motion for Expunction of Lis Pendens and Termination of Escrow." We approve the parties' stipulation and dismiss the petition.¹

Although petitioner acquired, in April 2001, the relief it sought from the district court, petitioner's counsel failed to either notify

¹See NRAP 42(b).

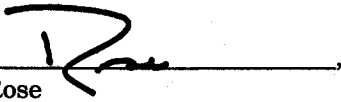
01-1856

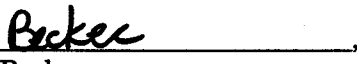
this court or to move to withdraw its moot petition until September 2001. As a consequence of petitioner's counsel's inaction, this court wasted valuable and limited judicial resources reviewing and ordering an answer to the moot petition.

Accordingly, petitioner's counsel, Susan Frankewich, shall have fifteen (15) days from the date of this order within which to show cause why she should not be sanctioned for wasting this court's resources.

It is so ORDERED.


Shearing J.


Rose J.


Becker J.

cc: Hon. James C. Mahan, District Judge
Susan Frankewich, Ltd.
Alf & Paustian
James F. Lisowski
Clark County Clerk