

IN THE SUPREME COURT OF THE STATE OF NEVADA

DIANE VERDERBER, ROBERT
BYINGTON, EUGENE W. HELMS,
RUTH P. HELMS, GAYLE HELMS,
SALLY SCHTEVIE, YOSSIE
SCHTEVIE, EDWARD SOLTYS,
INDIVIDUALLY AND ON BEHALF OF
KEN SOLTYS, A MINOR,

Appellants,

vs.

RENO HILTON RESORT
CORPORATION, A NEVADA
CORPORATION D/B/A RENO HILTON,

Respondent.

No. 37673

FILED

OCT 08 2001

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

ORDER DISMISSING APPEAL

On August 10, 2001, the district court filed a document entitled "Petition for Remand Pursuant to Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978)." The district court states that upon remand it intends to enter an order granting appellants' motion for reconsideration and reversing the order appealed from. Under Huneycutt, appellants should have filed in this court a motion for remand, accompanied by an order of the district court certifying its intent to grant appellants' motion for reconsideration. Nevertheless, in the interest of judicial economy, we waive this procedural error, and grant the petition. Accordingly, we remand this matter to the district court pursuant to its certification, and we dismiss this appeal.

It is so ORDERED.

Young

Young J.

Agosti

Agosti J.

Leavitt

Leavitt J.

cc: Hon. Steven P. Elliott, District Judge
Robert G. Berry, Settlement Judge
Lyle & Murphy
Greene & Associates
Washoe County Clerk