

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCESCA FAU, A MINOR, BY AND THROUGH HER GUARDIAN AD LITEM, CAMILLE FAU; NICOLE FAU, A MINOR, BY AND THROUGH HER GUARDIAN AD LITEM, CAMILLE FAU; AND CAMILLE FAU,

Appellants,

vs.

THE POWER COMPANY, INC., A NEVADA CORPORATION D/B/A CRAZY HORSE TOO; PAUL LUCA; DARRIN BREY; AND MIKE MUSCATO,

Respondents.

No. 38282

FILED

JAN 03 2002

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


ORDER DISMISSING APPEAL


On August 8, 2001, the clerk of this court issued a notice to appellants to pay the filing fee within 10 days. See NRS 2.250(1)(a). On September 11, 2001, appellants having not paid the filing fee, we entered an order again directing appellants to pay the filing fee within 10 days. On September 19, 2001, appellants filed a notice of withdrawal of appeal. Because appellants had not yet paid the filing fee, we entered another order on October 9, 2001, giving appellants 10 days to pay the filing fee or show cause why sanctions should not be imposed. The order explained that an appeal cannot be dismissed until the parties first "pay whatever fees are due." See NRAP 42(b).


To date, appellants have failed to pay the filing fee or otherwise respond to our October 9, 2001 order. Appellants shall pay the \$200 filing fee within 10 days from the date of this order. We caution appellants that failure to pay the filing fee in a timely manner will result in the imposition of sanctions in the sum of \$200.

As noted above, under NRAP 42(b), an appeal shall not be dismissed until the parties first "pay whatever fees are due." Nevertheless, in the interest of judicial efficiency, we do not wish to delay the dismissal of this appeal any longer. We elect to treat appellants' notice of withdrawal as a motion for voluntary dismissal. We grant the motion and dismiss this appeal.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Maupin

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Rose

cc: Hon. Nancy M. Saitta, District Judge  
Pike & Associates  
Stephenson & Dickinson  
Clark County Clerk