

IN THE SUPREME COURT OF THE STATE OF NEVADA

EZ AUTO CENTER, INC.,
Appellant,
vs.
GARY POE AND EDNA POE,
Respondents.

No. 40218

FILED

FEB 18 2004

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

ORDER DISMISSING APPEAL AND VACATING STAY

This is an appeal from a final judgment in favor of respondents for rescission of a lease purchase agreement. On November 13, 2003, we permitted appellant's counsel to withdraw, and instructed appellant to retain new counsel within thirty days of our order. Our November 13 order specifically noted that a corporation cannot appear in proper person. Appellant has not responded in any way to this order. In addition, on December 29, 2003, respondents filed a motion to dismiss this appeal as abandoned, since appellant had failed to retain new counsel or otherwise prosecute this appeal in any way. Appellant has not opposed or otherwise responded to the motion to dismiss. We conclude that appellant has abandoned this appeal, and so we dismiss the appeal. In light of the dismissal, we also vacate the stay entered on March 6, 2003.

It is so ORDERED.

Becker
_____, J.
Becker

Agosti
_____, J.
Agosti

Gibbons
_____, J.
Gibbons

cc: Hon. Valorie Vega, District Judge
EZ Auto Center, Inc.
James P. Kemp
Clark County Clerk