

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENALDO M. TIBERTI, AN
INDIVIDUAL; J.R.F. LIMITED
PARTNERSHIP, A NEVADA LIMITED
PARTNERSHIP; AND RENALDO M.
TIBERTI, AS TRUSTEE OF THE
MILAN T. TRUST, A NEVADA TRUST,
Appellants,

vs.

CLARK COUNTY LIQUOR AND
GAMING LICENSING BOARD, A
POLITICAL SUBDIVISION OF CLARK
COUNTY; ARDEL JORGENSEN, IN
HER CAPACITY AS THE DIRECTOR
OF BUSINESS LICENSING OF CLARK
COUNTY; RAINBOW TAVERN, LLC;
SUSAN MARDIAN; AND LORI
MARDIAN,

Respondents.

No. 40356

FILED

MAR 16 2004

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


ORDER DISMISSING APPEAL


Appellants have filed a copy of a "Stipulation and Order to Dismiss District Court Proceedings and Appeal" that was entered in the district court on February 13, 2004. The stipulation states in pertinent part that the parties agree "that the Supreme Court Appeal No. 40356, be dismissed, with each party to bear their own attorneys' fees and costs."

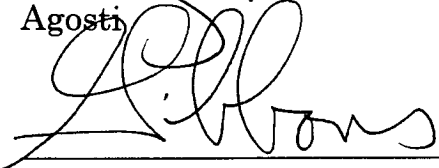
The proper method for dismissing an appeal is to file a motion or stipulation to dismiss the appeal with this court, not the district court. NRAP 42(b). We elect to treat the filing of the district court stipulation and order as a motion to voluntarily dismiss this appeal. Id. Cause

appearing, we grant the motion and we dismiss this appeal. Id. Each party shall bear their own attorney fees and costs.

It is so ORDERED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Kenneth C. Cory, District Judge
Hon. Michael A. Cherry, District Judge
Lester H. Berkson, Settlement Judge
Harrison Kemp & Jones, LLP
Clark County District Attorney David J. Roger/Civil Division
Lionel Sawyer & Collins/Las Vegas
Clark County Clerk