

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES J. "BUTCH" PERI,  
Appellant,  
vs.  
KELLY B. CRUITT,  
Respondent.

No. 40425

FILED

MAY 01 2003

ORDER DISMISSING APPEAL

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

The parties to this appeal have stipulated to dismiss this appeal and remand this matter to the district court for "the vacating of the amended judgment and judgment, sealing the records and dismissing the action with prejudice consistent with the terms of the settlement agreement." Attached to the parties' stipulation is an order of the district court certifying that upon remand it is inclined to "vacate the amended judgment and judgment, seal the records, and dismiss the action with prejudice, pursuant to the stipulation of the parties." See Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978).

Cause appearing, we approve the parties' stipulation. Accordingly, we remand this matter to the district court pursuant to its certification, and we dismiss this appeal. The parties shall bear their own costs and attorney fees. NRAP 42(b).

It is so ORDERED.

*Shearing*  
\_\_\_\_\_  
Shearing J.

*Leavitt*  
\_\_\_\_\_  
Leavitt J.

*Becker*  
\_\_\_\_\_  
Becker J.

cc: Hon. David A. Huff, District Judge  
Lansford W. Levitt, Settlement Judge  
Jeffrey D. Morrison  
Bradley Paul Elley  
Lyon County Clerk