

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN BREITRICK,  
Appellant,  
vs.  
CITY OF ELY; COUNTY OF WHITE  
PINE; DAVID OLSEN, CITY  
ATTORNEY; BERNIE ROMERO,  
SHERIFF; AND DEPUTY JAKE  
ERVIN,  
Respondents.

No. 40571

FILED

SEP 02 2003

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

ORDER DISMISSING APPEAL

Pursuant to the settlement conference and the stipulation of the parties, and cause appearing, this appeal is dismissed. The parties shall bear their own costs and attorney fees.<sup>1</sup> NRAP 42(b).

It is so ORDERED.

*J. Rihard*, C.J.

cc: Hon. J. Michael Memeo, District Judge  
Carolyn Worrell, Settlement Judge  
John W. Cripps  
Erickson Thorpe & Swainston, Ltd.  
White Pine County Clerk

<sup>1</sup> To the extent the parties stipulate that "the Clerk of the above-entitled Court" shall refund all fees and exonerate any bonds, the stipulation is disapproved. The only fees submitted to this court was appellant's filing fee, which is not refundable. NRS 2.250(1). Any relief regarding other fees paid or bonds posted should be sought in the district court. NRAP 7.