

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEONEL CHAVIRA-CASTILLO,  
Appellant,  
vs.  
MARIA DE LA LUZ ALVARADO,  
Respondent.

No. 40765

FILED

DEC 08 2004

ORDER DISMISSING APPEAL

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

This appeal was docketed in this court on January 9, 2003. On November 24, 2003, this court entered an order reinstating briefing as the parties were unable to agree to a settlement of this appeal. That order directed appellant to request transcripts in compliance with NRAP 9(a) and file his opening brief by March 23, 2004.

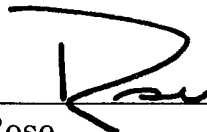
On May 11, 2004, this court entered an order that imposed a sanction upon appellant's counsel Cuthbert E.A. Mack for his dilatory conduct in prosecuting this appeal and for failing to respond to several earlier orders of this court. That order also directed appellant to request transcripts in accordance with NRAP 9(a) and file his opening brief within 15 days.

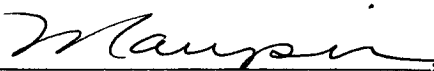
On July 7, 2004, this court entered order granting Mr. Mack's motion to vacate the sanction and to withdraw as counsel of record. In his motion, Mr. Mack had stated that appellant "has not kept any of his recent appointments with [his] office, and phone calls go unanswered." Mr. Mack also had informed this court that his "last conversation with Appellant gave the impression that appellant was not interested and was abandoning the case." In our order, we noted that appellant had been served a copy of the motion to withdraw and had not opposed the motion.

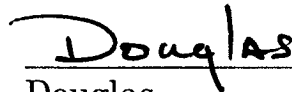
The July 7, 2004, order also directed appellant to retain new counsel if he wished to proceed with this appeal and cause counsel to file a notice of appearance with this court by August 6, 2004. Furthermore, that order cautioned appellant that his failure to respond to the July 7, 2004, order could result in his appeal being dismissed as abandoned.

Almost three months have passed, and appellant has failed to respond to our July 7, 2004, order. To date, no notice of appearance has been filed on behalf of appellant. Accordingly, this appeal is dismissed as abandoned.

It is so ORDERED.

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

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

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. T. Arthur Ritchie Jr., District Judge, Family Court Division  
Beckley Singleton, Chtd./Las Vegas  
Leonel Chavira-Castillo  
Clark County Clerk