

IN THE SUPREME COURT OF THE STATE OF NEVADA

MGM MIRAGE,
Appellant,
vs.
DIANE GRAZULIS,
Respondent.

No. 40817

FILED

MAR 18 2004

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

ORDER GRANTING MOTION TO VOLUNTARILY DISMISS APPEAL

This is an appeal from a district court order that denied a petition for judicial review and affirmed the appeals officer's decision that awarded respondent workers' compensation benefits. After the appeal was filed, respondent filed in this court a motion to dismiss. Respondent contended that the appeal was moot because the appellant had proposed a monetary settlement which respondent accepted. Appellant opposed respondent's motion to dismiss. Subsequently, however, appellant filed a voluntarily motion to dismiss this appeal. We grant appellant's motion and dismiss this appeal. The parties shall bear their own attorney fees and costs.¹

It is so ORDERED.

Shearing, C.J.
Shearing

Becker, J.
Becker

Gibbons, J.
Gibbons

¹See NRAP 42(b). We deny as moot respondent's June 16, 2003 motion for leave to file a reply in support of respondent's motion to dismiss.

cc: Hon. Jennifer Togliatti, District Judge
Kravitz Schnitzer & Sloane, Chtd.
Hardy & Hardy
Clark County Clerk