

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF
RONALD GENE EGOSCUE.

No. 41344

MICHAEL C. FISHER,
Appellant,

vs.

ALBERT L. LENIZ; BEN LENIZ;
JEANNE MCDONALD; JUANITA
MCLEAN; AND ELIZABETH VAN
BLITTERSWYK, PERSHING COUNTY
PUBLIC ADMINISTRATOR,
Respondents.

FILED

APR 20 2004

JANETTE M. BLONK
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL
AND DENYING MOTION FOR FEES AND COSTS

Appellant has filed a motion requesting this court to dismiss this appeal and grant appellant attorney fees and costs pursuant to NRAP 38(b). Cause appearing, we grant appellant's motion in part and we dismiss this appeal. See NRAP 42(b). We conclude, however, that the imposition of fees and costs pursuant to NRAP 38(b) is not warranted and we deny appellant's motion for fees and costs.

It is so ORDERED.

Becker
_____, J.
Becker

Agosta
_____, J.
Agosta

Gibbons
_____, J.
Gibbons

cc: Hon. Richard Wagner, District Judge
William Patterson Cashill, Settlement Judge
Law Offices of Edward Bernard
Steve E. Evenson
John M. Iroz
Pershing County District Attorney
Kyle B. Swanson
Pershing County Clerk