

IN THE SUPREME COURT OF THE STATE OF NEVADA

WENDY MARCELLUS AND ROBERT
L. MARCELLUS,

Appellants,

vs.

DERLYES R. NAB AND JOE NAB,
JUNIOR, TRUSTEES OF THE NAB
FAMILY TRUST,

Respondents.

No. 41909

FILED

AUG 20 2004

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

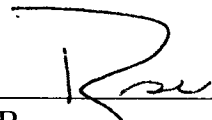
ORDER DISMISSING APPEAL


This is an appeal from a district court order denying a motion for a change of venue. Eighth Judicial District Court, Clark County; Gene T. Porter, Judge.


On January 21, 2004, this court entered an order deferring ruling on the parties' stipulation to dismiss this appeal. That order noted that the parties had not complied with the procedure set forth in Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978). Accordingly, that order directed appellants to file, within 60 days, a copy of an order of the district court certifying that it is inclined to grant the parties' requested relief. That order cautioned that failure to comply in a timely manner may result in the dismissal of this appeal as abandoned. Over 5 months have passed and the parties have yet to comply with our

January 21, 2004, order. Accordingly, we dismiss this appeal as abandoned.

It is so ORDERED.¹


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

cc: Eighth Judicial District Court Dept. 1, District Judge
Lansford W. Levitt, Settlement Judge
James F. Sloan
Gordon & Silver, Ltd.
Clark County Clerk

¹The parties' stipulation to dismiss this appeal is disapproved as moot.