

IN THE SUPREME COURT OF THE STATE OF NEVADA

MFP, INCORPORATED,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
JANET J. BERRY, DISTRICT JUDGE,  
Respondents,

and

CHRISTOPHER PARRY,  
INDIVIDUALLY, AS HEIR OF KELLIE  
PARRY, AND IN HIS CAPACITY AS  
GUARDIAN AD LITEM FOR DYLAN  
PARRY, A MINOR AND HEIR OF  
KELLIE PARRY; GAYLE FARLEY;  
TONNIE SAVAGE, AS  
ADMINISTRATRIX OF THE ESTATE  
OF KELLIE PARRY; MAUREEN  
ALLAN-FRY; AND ROBERT FRY,  
Real Parties in Interest.

No. 41914

FILED

SEP 19 2003

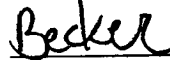
JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

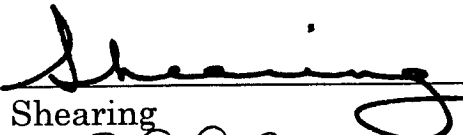
ORDER DISMISSING PETITION FOR WRIT OF MANDAMUS


This original petition for a writ of mandamus challenges a district court order that granted a motion for good faith settlement determination and dismissed a third-party complaint. On August 25, 2003, petitioner submitted a letter, which advised this court that the parties have settled the underlying matter. Accordingly, petitioner seeks to withdraw the petition. We remind counsel that any request for relief from this court should be made by the filing of a formal motion rather

than by a letter addressed to the clerk of this court.<sup>1</sup> We elect to treat petitioner's letter as a motion to dismiss the petition. We grant the request and dismiss this petition. The parties shall bear their own fees and costs, if any.<sup>2</sup>

It is so ORDERED.

  
\_\_\_\_\_, J.  
Becker

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Janet J. Berry, District Judge  
Perry & Spann/Reno  
Calvin R.X. Dunlap  
Monique Laxalt  
Lemons Grundy & Eisenberg  
Washoe District Court Clerk

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<sup>1</sup>See NRAP 27; In re Petition to Recall Dunleavy, 104 Nev. 784, 769 P.2d 1271 (1988).

<sup>2</sup>NRAP 42(b).