

IN THE SUPREME COURT OF THE STATE OF NEVADA

APPLE INVESTMENTS, INC., A
NEVADA CORPORATION; ELI
APPLEBAUM; TRAILWOOD, LLC;
BOULDER RUSSELL, LLC; APPLE
HOLDING 1, LLC; AND Q
SUMMERLIN, L.L.C.,

Appellants,

vs.

THE AGA IRREVOCABLE TRUST;
MOUSSA GOLSHAN, TRUSTEE OF
THE AGA IRREVOCABLE TRUST;
DANNY PAKRAVAN; SHAHRAM
AGHASIPOUR A/K/A SHAHRAM
AGHSIPOUR A/K/A SHAHRAM
AGHASIPOUR A/K/A SHAHRAM
AGASHIPOUR A/K/A SHAHRAN
AGHASSIPOUR A/K/A SHAHRAM
AGASSIPOUR A/K/A SAM AHASHSI
A/K/A SAM AGHSI, AN INDIVIDUAL;
MOUSSA GOLSHAN A/K/A MOUSI
GOLSHAN, TRUSTEE OF THE AGA
IRREVOCABLE TRUST; KAVEH
KEVIN GOLSHAN, AN INDIVIDUAL;
DANNY PAKRAVAN, AN INDIVIDUAL;
EBRAHIM KAHROBAI A/K/A
EHRAHIMAKA KAHROBAI, AN
INDIVIDUAL; JACOB YASHAR, AN
INDIVIDUAL; FARAHAZ BENJAMIN,
AN INDIVIDUAL; LA/NV
PROPERTIES, AN UNKNOWN
ENTITY; JOSEF HARONIAN, AN
INDIVIDUAL; KHANOMAGA
AKHAVAN, AN INDIVIDUAL;
KAMRAN HAKIMIAN, AN
INDIVIDUAL; MORIS MASHIEKHOFF,
AN INDIVIDUAL; AND SNAPPY
CHEYENNE, LLC, A NEVADA
LIMITED LIABILITY COMPANY,
Respondents.

No. 42250

FILED

JAN 08 2004

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order that granted a request for a prejudgment writ of attachment. When our preliminary jurisdictional review of this matter revealed a potential jurisdictional defect, we ordered appellants, on November 26, 2003, to show cause why their appeal should not be dismissed. We were concerned that an order regarding prejudgment attachment is appealable only if the order “dissolv[es] or refus[es] to dissolve an attachment.”¹ Because the order challenged by the instant appeal issues a prejudgment writ of attachment, rather than dissolves or refuses to dissolve an attachment, this appeal appeared to be jurisdictionally defective.

On December 18, 2003, appellants responded to our show cause order, “request[ing] that the appeal be dismissed as moot.” We construe the request as a motion to dismiss this appeal, and we grant the motion.² The parties shall bear their own appellate costs and attorney fees.

It is so ORDERED.³

<u>Becker</u> Becker	J. <u>Gibbons</u> Gibbons	<u>Agosti</u> Agosti	J. -
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¹NRAP 3A(b)(2).

²See NRAP 42(b).

³Respondents’ November 5, 2003 motion to dismiss this appeal is denied as moot. Appellants’ October 28, 2003 and November 19, 2003 motions for stay are also denied as moot.

cc: Hon. Michael L. Douglas, District Judge
Beckley Singleton, Chtd./Las Vegas
Gordon & Silver, Ltd.
Clark County Clerk