

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEN HENRY, INDIVIDUALLY AND AS
ADMINISTRATOR OF THE ESTATE
OF FRANCES E. HENDERSON,

Appellant,

vs.


UNION PACIFIC RAILROAD, A
DELAWARE CORPORATION; RONALD
CHAMPAGNE; RICK DUNHAM; AND
W. D. PICCININI,

Respondents.

No. 42452

FILED

DEC 29 2004


JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY  CHIEF DEPUTY CLERK

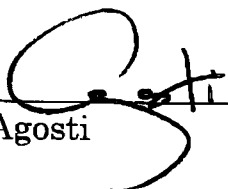
ORDER DISMISSING APPEAL AS ABANDONED

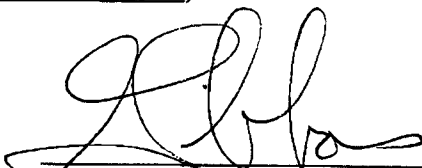
This is an appeal from a district court Judgment on Verdict entered on November 24, 2003. Fourth Judicial District Court, Elko County; Andrew J. Puccinelli, Judge.

On July 30, 2004, the settlement judge filed a report indicating that the parties agreed to a settlement of this appeal. Accordingly, on August 11, 2004, we directed appellant to file a stipulation or motion to dismiss this appeal or otherwise inform this court of the status of this appeal within 30 days. To date, appellant has not responded to our order or otherwise communicated with this court. Accordingly, cause appearing, we dismiss this appeal as abandoned.

It is so ORDERED.


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Andrew J. Puccinelli, District Judge
Carolyn Worrell, Settlement Judge
David D. Loreman
Woodburn & Wedge
Elko County Clerk