IN THE SUPREME COURT OF THE STATE OF NEVADA

STONEWEAR, INC., A NEVADA CORPORATION, Appellant, vs. LOCKHEED PARTNERS, LLC, A NEVADA LIMITED LIABILITY COMPANY; SIERRA LEASING, INC., A NEVADA CORPORATION; GARY COOK, INDIVIDUALLY; AND GCBROKERS, A REVOKED CORPORATION, Respondents.

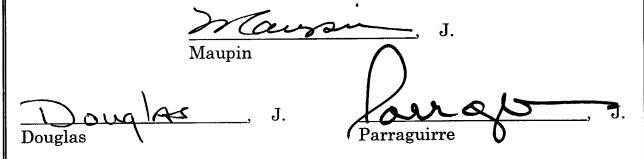
No. 44146

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying appellant's motion to set aside an entry of default and remove counsel. First Judicial District Court, Carson City; Carl J. Christensen, Judge.

Appellant has filed a motion to withdraw its appeal, which we construe as a motion for voluntary dismissal under NRAP 42(b). We grant appellant's motion and dismiss this appeal. Each party shall bear its own costs and attorney fees, if any.¹

It is so ORDERED.



¹We conclude that an award of costs and attorneys fees against appellant is not warranted, and therefore we deny respondents Lockheed Partners and Sierra Leasings' November 10, 2004 motion for costs and attorney fees. Additionally, we deny as most all other pending motions in this appeal. Finally, we vacate our December 21, 2004 order directing appellant to file a docketing statement.

SUPREME COURT OF NEVADA

(O) 1947A

cc: Hon. Carl J. Christensen, Senior Judge Patrick O. King, Settlement Judge Craig K. Perry Allison, MacKenzie, Russell, Pavlakis, Wright & Fagan, Ltd. Carson City Clerk

SUPREME COURT OF NEVADA