

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAMIRO MAGANA,
Appellant,
vs.
ILEANA CISNEROS,
Respondent.

No. 50470

FILED

NOV 14 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DISMISSING APPEAL


On September 11, 2008, this court entered an order concluding settlement proceedings and directing appellant to show cause, by October 13, 2008, why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that the notice of appeal was untimely filed, and this court therefore lacked jurisdiction over this appeal. Our order cautioned appellant that "failure to demonstrate that this court has jurisdiction may result in this court's dismissal of this appeal."


To date, appellant has not filed a response to our order or otherwise communicated with this court. We elect to treat appellant's failure to respond to our order to show cause as an admission that this

court lacks jurisdiction over this appeal.¹ Accordingly, this appeal is hereby dismissed.

It is so ORDERED.


_____, C. J.
Gibbons


_____, J.
Cherry


_____, J.
Saitta

cc: Hon. Stefany Miley, District Judge, Family Court Division
Robert Gaston, Settlement Judge
Dan M. Winder
Edward G. Marshall
Eighth District Court Clerk

¹Cf. King v. Cartlidge, 121 Nev. 926, 124 P.3d 1161 (2005) (stating that the district court has discretion to consider the failure to oppose a motion as an admission of merit and as consent to the granting of the motion).