IN THE SUPREME COURT OF THE STATE OF NEVADA

LISA MACHADO, Appellant, vs. MICHAEL A. PARASCANDOLO, Respondent. No. 51230

FILED

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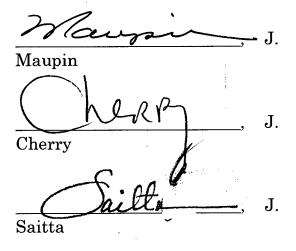
ORDER DISMISSING APPEAL

This is a proper person appeal from a district court order regarding child custody matters. Eighth Judicial District Court, Family Court Division, Clark County; N. Anthony Del Vecchio, Judge.

On May 19, 2008, appellant filed a document entitled "Notice of Withdrawal of Appeal." We construe this notice as a motion for voluntary dismissal of her appeal, and we hereby grant the motion.¹ The parties shall bear their own costs, if any. Accordingly, we

¹NRAP 42(b).

SUPREME COURT OF NEVADA ORDER this appeal DISMISSED.²



cc: Hon. N. Anthony Del Vecchio, District Judge, Family Court Division Lisa Machado Michael A. Parascandolo Eighth District Court Clerk

²Appellant bases her decision to withdraw her appeal on a revised district court order filed on April 24, 2008. Specifically, she asserts that the revised order caused her appeal to have a "less practical effect." We note, however, that because the case was on appeal when the April 24, 2008, order was entered, the district court lacked jurisdiction to enter that order. <u>See Mack-Manley v. Manley</u>, 122 Nev. 849, 855, 138 P.3d 525, 529-30 (2006) (stating that a properly filed appeal divests a district court of jurisdiction to entertain matters related to the appeal). Because the district court lacked jurisdiction to enter the April 24 order, that order is void. Thus, the district court will need to re-enter that order following the dismissal of this appeal to avoid any question as to its validity.

SUPREME COURT OF NEVADA