

IN THE SUPREME COURT OF THE STATE OF NEVADA

LARRY JAMES CAVANAUGH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64948

FILED

SEP 09 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of theft. Third Judicial District Court, Lyon County; Leon Aberasturi, Judge.

On May 1, 2014, appellant's counsel filed a notice informing this court of appellant's death. We entered an order treating the notice as a suggestion of death upon the record and directing appellant's personal representative, if any, to file a motion for substitution pursuant to NRAP 43(a)(1) by July 30, 2014, if he or she wished to proceed with this appeal. *See Brass v. State*, 129 Nev. ___, ___, 306 P.3d 393, 395 (2013). We explained that if no personal representative was substituted within the allotted time, we would dismiss this appeal. *See id.*

To date, no personal representative has filed a motion for substitution. Accordingly, we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Leon Aberasturi, District Judge
Evenson Law Office
Attorney General/Carson City
Lyon County District Attorney
Third District Court Clerk