

IN THE SUPREME COURT OF THE STATE OF NEVADA

EUGENE ALBERT MAUWEE, SR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69733

FILED

AUG 19 2016

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

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to correct illegal sentence. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

On April 12, 2016, this court entered an order directing appellant's personal representative, if any, to file a motion for substitution with this court pursuant to NRAP 43 within 90 days, if he or she wishes this appeal to proceed. *See Brass v. State*, 129 Nev. Adv. Op. 53, 306 P.3d 393 (2013); *see also Walker v. Burkham*, 68 Nev. 250, 253-54, 229 P.2d 158, 160 (1951) ("[u]pon the death of a party...the [action] cannot proceed until someone is substituted for the decedent..."). To date, no personal representative has filed a motion for substitution. Accordingly, we

ORDER this appeal DISMISSED.

[Signature], J.
Hardesty

[Signature], J.
Saitta

[Signature], J.
Pickering

16-24713

cc: Hon. Connie J. Steinheimer, District Judge
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk