

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TRAVIS EUGENE MILNE,  
Appellant,  
vs.  
CHRISTINA MANNION,  
Respondent.

No. 83044-COA

FILED

OCT 24 2022

ELIZABETH A. BROWN  
CLERK OF SUPERIOR COURT

BY: *[Signature]*

**ORDER VACATING ORAL ARGUMENT AND GRANTING MOTION TO  
VOLUNTARILY DISMISS APPEAL**

This is an appeal from a post-decree order denying modification of child support and awarding attorney fees and costs. Eighth Judicial District Court, Family Court Division, Clark County; Bryce C. Duckworth, Judge.

This case was previously scheduled for oral argument to be held on October 25, 2022. On October 21, appellant filed an "Unopposed Emergency Motion Under NRAP 27(e) to Vacate the Upcoming Oral Argument and Dismiss the Appeal Pursuant to NRAP 42(b)." Appellant states that the parties entered into a stipulation that resolved the parties' dispute in July, and therefore asserts that oral argument is no longer needed and the appeal is moot.<sup>1</sup> As such, appellant requests to voluntarily dismiss the appeal under NRAP 42(b). Based on appellant's filing, we

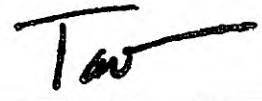
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<sup>1</sup>We note that a portion of the subsequent district court order entered pursuant to the stipulation may be invalid as the district court lacked jurisdiction to enter an order related to issues pending on appeal, but retains jurisdiction as to any matters independent from the order that is on appeal. *Foster v. Dingwall*, 126 Nev. 49, 52, 228 P.3d 453, 454-55 (2010).

vacate the oral argument set for October 25 and grant the motion to voluntarily dismiss the appeal.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Bryce C. Duckworth, District Judge, Family Court Division  
Office of the Special Public Defender/Robert Arroyo  
Law Office of Christopher P. Burke  
Eighth District Court Clerk