

IN THE SUPREME COURT OF THE STATE OF NEVADA

LINDA L. WOOD,  
Appellant,  
vs.  
ROBERT L. BROWN,  
Respondent.

No. 38006

**FILED**

FEB 18 2004

ORDER DISMISSING APPEAL  
AND DIRECTING PAYMENT OF FILING FEE BY *J. Richard*  
JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
DEPUTY CLERK

On November 30, 2001, this court ordered this appeal stayed pursuant to the mandatory provisions of federal bankruptcy law. See 11 U.S.C. § 362(a). Appellant's most recent status report, filed on December 11, 2003, informs this court that the bankruptcy court entered an order on November 2, 2001, confirming a debtor's plan and that the order contains a stipulation that appellant dismiss this appeal. A copy of the bankruptcy court's order is attached to the status report. Appellant's counsel further states that "until certain of the events contemplated by 11 USC 362 occur, the automatic stay is still in effect." Specifically, counsel indicates that appellant must comply with her agreement to dismiss the appeal and counsel "cannot bind his client to a dismissal without specific permission."


We note, however, that a stipulation to dismiss this appeal was filed in this court on November 21, 2001, 19 days after entry of the bankruptcy court's order confirming a debtor's plan. This court deferred taking action on the stipulation to dismiss pending the filing of a status report concerning resolution of the bankruptcy proceeding.


Because it appears that the bankruptcy proceeding has been resolved and appellant has filed a stipulation to dismiss this appeal in compliance with the stipulation contained in the bankruptcy court's order,


we approve the parties' stipulation and dismiss this appeal. The parties shall bear their own costs and fees. See NRAP 42(b).

To date, appellant has failed to pay the filing fee. Appellant shall have 10 days to pay the \$200.00 filing fee. See NRAP 3(f) (1996) (amended July 15, 2003); NRS 2.250(1)(a).

It is so ORDERED.

  
\_\_\_\_\_, J.  
Becker

  
\_\_\_\_\_, J.  
Agosti

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

cc: Hon. Cheryl B. Moss, District Judge, Family Court Division  
Jennifer Elliot Tavano, Settlement Judge  
Donn M. Ianuzi II  
Brian J. Steinberg  
Clark County Clerk