

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROUBEN KANDILIAN,
Appellant,
vs.
MGM GRAND HOTEL, INC., D/B/A
MGM GRAND HOTEL/CASINO,
Respondent.

No. 38976

FILED

NOV 04 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER LIFTING BANKRUPTCY STAY AND DISMISSING APPEAL

On April 30, 2002, this court entered an order noting that this appeal was stayed pursuant to the mandatory provisions of federal bankruptcy law. See 11 U.S.C. § 362(a). Appellant's most recent status report informs this court that "[t]he reorganization plan has been confirmed." Accordingly, we conclude that this appeal is no longer subject to the automatic stay. See 11 U.S.C. § 362(c); 11 U.S.C. § 1141(c).

Appellant has filed a notice of withdrawal of his appeal. We elect to treat the notice as a motion to voluntarily withdraw this appeal. See NRAP 42(b). Cause appearing we grant the motion and dismiss this appeal. Id.

It is so ORDERED.

Becker
_____, J.
Becker

Agosti
_____, J.
Agosti

Gibbons
_____, J.
Gibbons

cc: Eighth Judicial District Court Dept. 12, District Judge
Howard Roitman, Settlement Judge
Thomas F. Pitaro
Potter Law Offices
Lionel Sawyer & Collins/Las Vegas
Clark County Clerk