

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN J. PTAK,
Appellant,
vs.
LIONEL SAWYER & COLLINS,
Respondent.

No. 39112

STEVEN J. PTAK,
Appellant/Cross-
Respondent,
vs.
FLETCHER JONES LAS VEGAS, INC.,
D/B/A FLETCHER JONES
CHEVROLET; AND FLETCHER
JONES, JR.,
Respondents/Cross-
Appellants.

No. 39594

FILED

SEP 27 2005

JANEITE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEALS AND CROSS-APPEAL

On May 6, 2005, this court entered an order noting that the automatic bankruptcy stay no longer applied to these related cases and that the appeals and cross-appeal could proceed. At the time of entry of that order, Steven J. Ptak, appellant in Docket No. 39112 and appellant/cross-respondent in Docket No. 39594, was represented by attorney Georlen Kay Spangler in Docket No. 39112 and by attorney Jerome A. DePalma in Docket No. 39594. Our May 6, 2005, order granted Mr. DePalma's motion to withdraw as counsel in Docket No. 39594. Further, we directed Ms. Spangler to inform this court if she continued to represent appellant in Docket No. 39112, whether she would be representing him in both appeals, and whether appellant intended to continue to prosecute these appeals. Finally, that order directed respondents/cross-appellants


("cross-appellants") in Docket No. 39594 to inform this court whether they intended to pursue their cross-appeal.


In response to that order, Ms. Spangler filed a notice indicating that she "has not had any contact with [appellant] since approximately 2003 and has no knowledge of his present whereabouts." Because of that lack of contact, Ms. Spangler requests she be allowed to withdraw as counsel of record in Docket No. 39112. Cause appearing, we grant that request. Accordingly, the clerk of this court shall remove Ms. Spangler from the docket in that appeal.

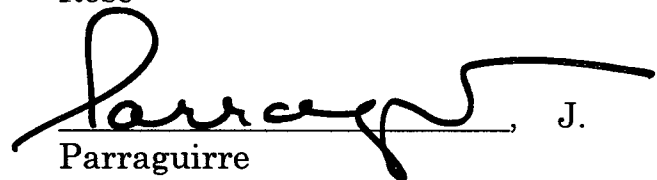
We note that in his previous motion to withdraw, Mr. DePalma provided a similar description of his cause for withdrawal from that appeal. Further, the copy of our previous order that this court mailed to appellant was returned with no forwarding address provided. Thus it appears that appellant has abandoned these appeals.

In their response to our previous order, cross-appellants in Docket No. 39594 inform this court that they do "not intend to pursue [their] appeal if [appellant] cannot be found and is deemed to have abandoned his appeal or if he does not wish to pursue his appeal[s]." Accordingly, we hereby dismiss these appeals and cross-appeal.

It is so ORDERED.


_____, J.
Douglas


_____, J.
Rose


_____, J.
Parraguirre

cc: Eighth Judicial District Court Dept. 12, District Judge
William F. Buchanan, Settlement Judge
Kolesar & Leatham, Chtd.
Lionel Sawyer & Collins/Las Vegas
James F. Lisowski
Fisher & Phillips, LLP
Laxalt & Nomura, Ltd.
Steven J. Ptak
Clark County Clerk