

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN LANDO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 43198

**FILED**

AUG 18 2004

ORDER DISMISSING APPEAL

JANET L. H. H.  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

This an appeal from an order of the district court revoking appellant's probation. On July 29, 2004, counsel for appellant filed a motion to withdraw this appeal voluntarily. In the motion, counsel advises that he has informed appellant of the legal effects and consequences of voluntarily withdrawing this appeal, including that appellant cannot hereafter seek to reinstate this appeal, and that any issues that were or could have been brought in this appeal are forever waived. Having been so informed, appellant consents to a voluntary dismissal of this appeal.

Cause appearing, the motion is granted and we  
ORDER this appeal DISMISSED.<sup>1</sup>

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

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

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

<sup>1</sup>Because no remittitur will issue in this matter, see NRAP 42(b), the one-year period for filing a post-conviction habeas corpus petition under NRS 34.726(1) shall commence to run from the date of this order.

cc: Hon. Kathy A. Hardcastle, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk