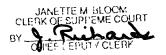
IN THE SUPREME COURT OF THE STATE OF NEVADA

BRICK POMMEROY HOUSTON A/K/A BRICK POMEROY HOUSTON A/K/A BRICK P. HOUSTON, JR., Appellant,

vs. THE STATE OF NEVADA, Respondent. No. 43269



JAN 2 0 2005



ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of grand larceny. On December 16, 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.

SUPREME COURT OF NEVADA

(O) 19474

Cause appearing, the motion is granted and we ORDER this appeal DISMISSED.¹

Rose

J.

J.

J.

Gibbons

Hardesty

cc: Hon. John S. McGroarty, 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

Brick Pommeroy Houston

¹Because no remittitur will issue in this matter, <u>see</u> 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.