

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEPHEN FISHER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 43670

FILED

DEC 03 2004

ORDER DISMISSING APPEAL

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


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of robbery and one count of battery with substantial bodily harm. Eighth Judicial District Court, Clark County; John S. McGroarty, Judge.


On November 2, 2004, counsel for appellant filed a motion to withdraw this appeal voluntarily.<sup>1</sup> In the motion, counsel advises that he has informed appellant of the legal effects and consequences of voluntarily withdrawing this appeal. Having been so informed, appellant consents to a voluntary dismissal of this appeal.

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<sup>1</sup>On the same date, counsel for appellant also filed a motion to relieve the Clark County Public Defender of any obligation with regard to this appeal. Because appellant has chosen to withdraw this appeal, the motion is granted. Additionally, on November 2, 2004, the Clark County Public Defender filed a motion for an extension of time in which to file the fast track statement. The motion is denied as moot, in light of this disposition.

Cause appearing, the motion is granted and we  
ORDER this appeal DISMISSED.<sup>2</sup>

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

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

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

cc: Hon. John S. McGroarty, District Judge  
Clark County Public Defender Philip J. Kohn  
Michael H. Schwarz  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

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<sup>2</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.