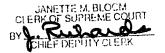
IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK WESLEY HAY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43714

SEP 0 7 2004

ORDER DISMISSING APPEAL



This is an appeal from a judgment of conviction, pursuant to a jury verdict, of one count of unlawful taking of a vehicle.

On August 16, 2004, counsel for appellant filed a motion to withdraw this appeal voluntarily. In the motion, appellant advises that he has been informed of the legal effects and consequences of voluntarily withdrawing this appeal, including that he 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

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

J.

J. Agostir

J.

Gibbons

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

¹Because 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.