

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 43714

FILED

SEP 07 2004

ORDER DISMISSING APPEAL

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

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.

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

Becker, J.  
Becker

Agosti, J.  
Agosti

Gibbons, J.  
Gibbons

cc: Hon. Jessie Elizabeth Walsh, 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

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<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.