

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN JOSEPH NAVES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43933

FILED

MAR 28 2005

ORDER DISMISSING APPEAL

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

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of failing to appear after being released on his own recognizance.

On January 10, 2005, counsel for appellant filed a motion to withdraw this appeal voluntarily. In the motion, counsel stated that she had informed appellant of the legal effects and consequences of withdrawing this appeal, and that appellant consented to a voluntary dismissal.


On January 11, 2005, appellant personally contacted the clerk of this court and stated that he did not want his appeal dismissed. On February 7, 2005, this court ordered counsel for appellant to supplement the motion to withdraw.¹ Counsel has responded to this court's order and provided a voluntary withdrawal form signed by appellant. In the form, appellant acknowledged that he has been fully informed of the legal effects

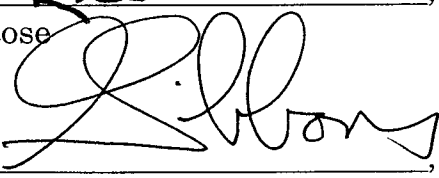
¹On March 1, 2005, counsel for appellant filed a motion for an extension of time in which to respond to this court's order. Cause appearing, the motion is granted. The clerk of this court shall file, forthwith, the response provisionally submitted on March 2, 2005.

and consequences of voluntarily withdrawing this appeal. 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.²


_____, C.J.
Becker


_____, J.
Rose


_____, J.
Gibbons

cc: Second Judicial District Court Dept. 9, District Judge
Washoe County Public Defender
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²Because 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.