

IN THE SUPREME COURT OF THE STATE OF NEVADA

RANDY JOE ELLIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44122

FILED

FEB 28 2005


ORDER DISMISSING APPEAL


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

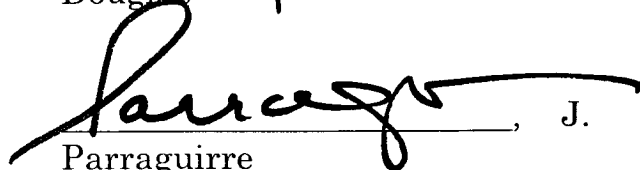
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of attempted fraudulent use of a credit card. Second Judicial District Court, Washoe County; Jerome Polaha, Judge. On February 7, 2005, counsel for appellant filed a motion to withdraw this appeal voluntarily.

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.

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


_____, J.
Maupin


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Jerome Polaha, District Judge
Michael V. Roth
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court 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.