

IN THE SUPREME COURT OF THE STATE OF NEVADA

SILVER JEROME LOVITT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44168

FILED

JAN 19 2005

ORDER DISMISSING APPEAL

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

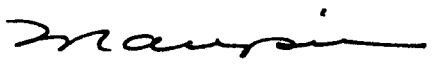
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of trafficking in a controlled substance, and one count of offer, attempt or commission of an unauthorized act relating to a controlled or counterfeit substance. Third Judicial District Court, Churchill County; Robert E. Estes, Judge.

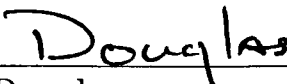
On December 13, 2004, counsel for appellant filed a motion to withdraw this appeal voluntarily.¹ In the motion, counsel advises that he has informed appellant of the legal effects and consequences of voluntarily withdrawing this appeal, including that appellant cannot hereafter seek to reinstate this appeal, and that any issues that were or could have been

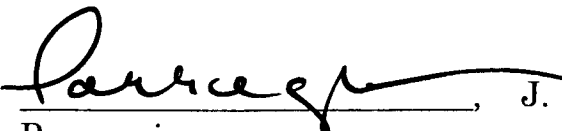
¹On December 9, 2004, appellant filed a motion for an extension of time in which to file the fast track statement. In light of the dismissal of this appeal, the motion is denied as moot.

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.²


_____, J.
Maupin


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. Robert E. Estes, District Judge
Law Office of Kenneth V. Ward
Attorney General Brian Sandoval/Carson City
Churchill County District Attorney
Churchill County 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.