IN THE SUPREME COURT OF THE STATE OF NEVADA

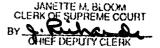
ADAN DELGADO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45713

FILED

OCT 0 3 2009

ORDER DISMISSING APPEAL BY.



This is an appeal from an order of the district court denying appellant's motion to modify his sentence. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

On September 6, 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.

Maupin

Manga

J.

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J.

Gibbons

J.

Hardestv

SUPREME COURT OF NEVADA



cc: Honorable Jackie Glass, District Judge Joseph A. Scalia II Attorney General Brian Sandoval/Carson City Clark County District Attorney David J. Roger Clark County Clerk