

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Appellant,
vs.
MARK T. LEWIS,
Respondent.

No. 46701

FILED

APR 10 2006

ORDER DISMISSING APPEAL

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

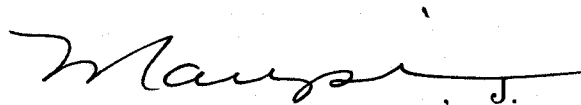
This is an appeal from an order of the district court granting respondent's motion to dismiss a criminal indictment. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

This court's preliminary review of this appeal revealed a jurisdictional defect. Specifically, the district court order was entered by the district court on December 7, 2005, but the notice of appeal was not filed until January 25, 2006, after the thirty-day appeal period prescribed by NRAP 4(b).

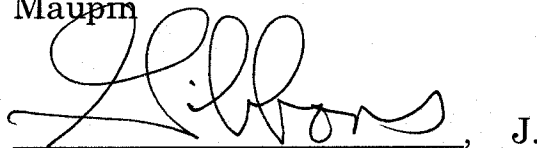
This court therefore ordered counsel for appellant to show cause why this appeal should not be dismissed. On March 16, 2006, counsel for appellant filed a notice informing this court that the State

wishes to withdraw this appeal voluntarily. We conclude that we lack jurisdiction and we


ORDER this appeal DISMISSED.

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

cc: Hon. Valorie Vega, District Judge
Attorney General George Chanos/Las Vegas
Wright & Weiner
Clark County Clerk