

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALVIN J. ESTON, JR. A/K/A ALVIN
ESTON A/K/A ALVIN JOSEPH ESTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48177

FILED

DEC 12 2006

ORDER DISMISSING APPEAL

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

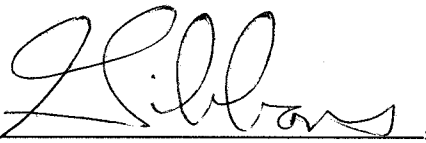
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of assault with a deadly weapon. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

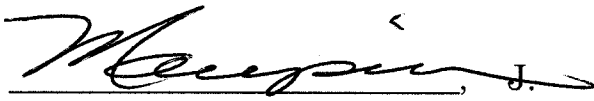
On November 20, 2006, counsel for appellant filed a motion to withdraw this appeal voluntarily. In the motion, counsel advises that she has informed appellant of the legal effects and consequences of voluntarily withdrawing this appeal, including that appellant cannot hereafter seek to reinstate this appeal, and that any issues that were or could have been brought in this appeal are forever waived. Having been so informed,

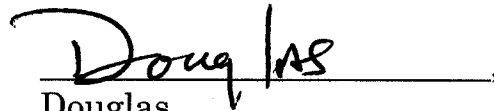
appellant consents to a voluntary dismissal of this appeal.

Cause appearing, the motion is granted and we

ORDER this appeal DISMISSED.¹


_____, J.
Gibbons


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. Donald M. Mosley, District Judge
Clark County Public Defender Philip J. Kohn
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk
Alvin J. Eston, Jr.

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.