

IN THE SUPREME COURT OF THE STATE OF NEVADA

VANCE CLAYTON TATE, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 52209

**FILED**

DEC 16 2008

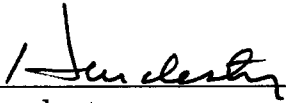
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

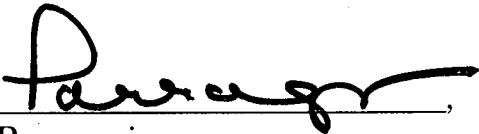
ORDER DISMISSING APPEAL

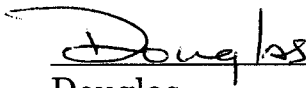
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of unlawful possession of a controlled substance not for purpose of sale. Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.

On November 20, 2008, 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.<sup>1</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

cc: Hon. Dan L. Papez, District Judge  
State Public Defender/Carson City  
State Public Defender/Ely  
Attorney General Catherine Cortez Masto/Carson City  
White Pine County District Attorney  
White Pine County Clerk  
Vance Clayton Tate, Jr.

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<sup>1</sup>Because 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.