

IN THE SUPREME COURT OF THE STATE OF NEVADA

NINO PATERNOSTRO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53760

FILED

DEC 04 2009

ORDER DISMISSING APPEAL

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

This is an appeal from a judgment of conviction entered pursuant to a guilty plea. On November 30, 2009, 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.¹

[Signature], J.
Cherry

[Signature], J.
Saitta

[Signature], J.
Gibbons

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.

cc: Hon. Patrick Flanagan, District Judge
Steven J. Klearman & Associates
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk
Nino Paternostro