

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUBEN MARTINEZ BARRERA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54453

**FILED**

SEP 21 2009

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

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction. On September 8, 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.<sup>1</sup>

Parraguirre, J.  
Parraguirre

Douglas, J.  
Douglas

Pickering, J.  
Pickering

<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.

cc: Hon. Janet J. Berry, District Judge  
Washoe County Public Defender  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk  
Ruben Martinez Barrera