

IN THE SUPREME COURT OF THE STATE OF NEVADA

HERMAN DAVAR KING,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55473

FILED

JUN 09 2010

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

ORDER DISMISSING APPEAL

This is an appeal from an order revoking probation and second amended judgment of conviction. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge. Appellant's counsel has filed a notice of withdrawal of appeal. We elect to treat the notice as a motion to withdraw this appeal voluntarily. Counsel advises this court 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

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Douglas W. Herndon, District Judge
Anthony M. Goldstein
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Herman Davar King

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.