

IN THE SUPREME COURT OF THE STATE OF NEVADA

PATRICK DENNIS HIGGINS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 57639

**FILED**

**FEB 23 2011**

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 felony driving under the influence. Second Judicial District Court, Washoe County; Robert H. Perry, Judge. Appellant's counsel has filed a notice of voluntary withdrawal of this appeal. 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, we

ORDER this appeal DISMISSED.<sup>1</sup>

Cherry, J.  
Cherry

Gibbons, J.  
Gibbons

Pickering, J.  
Pickering

cc: Hon. Robert H. Perry, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk  
Patrick Dennis Higgins

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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.