

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS EDWARD O'DONNELL A/K/A
THOMAS WHITE A/K/A THOMAS
BRADFORD A/K/A THOMAS
BRADSHAW A/K/A CHARLIE NAGEL
O'DONNELL D/B/A APPLE CAPITAL,
INC.; AND APPLE CAPITAL
INVESTMENT FUND, INC. D/B/A
APPLE CAPITAL FUND,
Appellants,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62496

FILED

SEP 25 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angela*
DEPUTY CLERK

*ORDER DISMISSING APPEAL AND
GRANTING MOTION TO WITHDRAW AS COUNSEL*

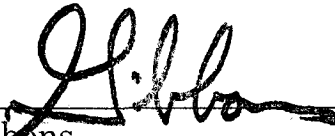
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of securities fraud. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

Appellant's counsel has filed a notice of voluntary withdrawal of this appeal. Counsel advises this court 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. Counsel further represents that, having been

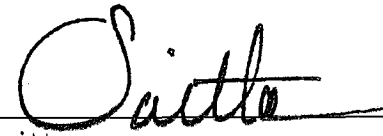
so informed, appellant consents to a voluntary dismissal of this appeal.

Cause appearing, we

ORDER this appeal DISMISSED.¹


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. David B. Barker, District Judge
Langford McLetchie LLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Thomas O'Donnell

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. Also, because no remittitur will issue and this matter is closed, we grant counsel's motion to withdraw. *See* RPC 1.16(b)(1).