

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY WAYNE BURGER,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 36053

**FILED**

NOV 22 2000


JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *Richard*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

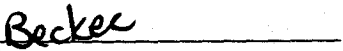
This is an appeal from a judgment of conviction. On October 26, 2000, counsel for appellant filed a motion to withdraw this appeal voluntarily. In the motion, counsel advises that he has informed appellant of the legal effects and consequences of voluntarily withdrawing this appeal, including that appellant 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.

00-26498

Cause appearing, the motion is granted and we  
ORDER this appeal dismissed.<sup>1</sup>

Rose  C.J.

Young  J.

Becker  J.

cc: Hon. Lee A. Gates, District Judge  
Attorney General  
Clark County District Attorney  
Thomas F. Pitaro  
James D. Leavitt  
Clark County Clerk

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<sup>1</sup>On October 26, 2000, counsel for appellant Thomas F. Pitaro filed a substitution of attorney, in which he consented to the substitution of James Dean Leavitt as attorney for appellant. Pitaro is reminded that trial counsel may not withdraw without leave of this court, and not until trial counsel has fulfilled the obligations placed on trial counsel by NRAP 3C(b). We note that the motion to withdraw this appeal voluntarily was filed by Leavitt. Despite the fact that Pitaro's notice of substitution is without effect, we elect to grant Leavitt's motion to withdraw this appeal voluntarily.