

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT CRUISE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 82408

**FILED**

JUL 01 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Tara D. Clark Newberry, Judge.

Appellant's counsel has filed a motion to voluntarily withdraw this appeal and a supplemental affidavit in support of the motion.<sup>1</sup> Counsel advises this court she has informed appellant that once he withdraws this appeal, he will be unable to pursue issues related to the direct appeal and that she advised appellant regarding the constitutional rights he would be giving up by withdrawing his appeal. Having been so informed, appellant elects to stop the appellate process. Accordingly, cause appearing, we

ORDER this appeal DISMISSED.<sup>2</sup>

*Cadish*

\_\_\_\_\_, J.  
Cadish

*Pickering*

\_\_\_\_\_, J.  
Pickering

*Herndon*

\_\_\_\_\_, J.  
Herndon

<sup>1</sup>Counsel for appellant is advised that NRAP Form 8 provides the preferred form of a notice or motion to withdraw a criminal appeal. *See also* NRAP 3C(1) (requiring a notice of withdrawal of appeal in an appeal subject to NRAP 3C to substantially comply with Form 8 in the Appendix of Forms).

<sup>2</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. Tara D. Clark Newberry, District Judge  
Law Office of Betsy Allen  
Robert Cruise  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk