

IN THE SUPREME COURT OF THE STATE OF NEVADA

PEDRO RAFAEL DUARTE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86312

FILED

MAY 05 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a district court order denying a motion to strike counts 2 and 3 of the second amended information. Eighth Judicial District Court, Clark County; Ronald J. Israel, Judge.

Upon initial review of the notice of appeal, this court determined that a potential jurisdictional defect existed, and we directed appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. Specifically, it appeared that no statute or court rule allows for an appeal from the challenged order.

In response to the order to show cause, appellant has filed a notice of withdrawal of appeal. Appellant's counsel advises this court that he has informed appellant of the legal consequences of voluntarily withdrawing this appeal, including that appellant cannot hereafter seek to reinstate this appeal. Having been so informed, appellant consents to a voluntary dismissal of this appeal. Cause appearing, this court

ORDERS this appeal DISMISSED.

[Signature], J.
Cadish

[Signature], J.
Pickering

[Signature], J.
Bell

cc: Hon. Ronald J. Israel, District Judge
Gallian Welker & Beckstrom, LC/Las Vegas
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk