

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH DWAIN DOWNING, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85490

FILED

MAY 26 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY: 
DEPUTY CLERK

ORDER DISMISSING APPEAL


This is an appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge.

Appellant's counsel has filed a notice of voluntary withdrawal of this appeal. Counsel advises this court that appellant has been informed of the legal effects and consequences of voluntarily withdrawing this appeal. Counsel further advises that appellant "understands that dismissal means that he cannot bring [this appeal] again." Having been so informed, appellant consents to a voluntary dismissal of this appeal. Cause appearing, we

ORDER this appeal DISMISSED.¹


_____, J.
Cadish


_____, J.
Pickering


_____, J.
Bell

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.

Given our disposition of this matter, respondent's motion for an extension of time to file the answering brief is denied as moot.

cc: Hon. Jacqueline M. Bluth, District Judge
Monique A. McNeill
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk