

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN L. SHADRICK,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 40073

**FILED**

SEP 04 2003

ORDER DISMISSING APPEAL

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

This is an appeal from an order of the district court denying appellant's post-conviction petition for a writ of habeas corpus. This appeal was originally docketed on August 15, 2002. On July 18, 2003, this court ordered appellant's counsel to notify this court whether he had been successful in communicating with appellant. This court further informed counsel that upon the filing of the response, this court would determine whether to dismiss this appeal as abandoned. On September 2, 2003, counsel filed a response to this court's order requesting an extension of time in which to file the fast track statement.

In the response and supporting affidavit, counsel informs this court that he has sent three letters to appellant, one via regular mail and two via certified mail. The first letter was not returned, and the other two were picked up by appellant, as evidenced by appellant's signature on the certified return receipts. Additionally, counsel has attempted numerous times to contact appellant by telephone. Despite counsel's efforts, appellant has failed to contact counsel's office, and appellant has also not

communicated with this court regarding his appeal. Based on the foregoing, we conclude that appellant has abandoned this appeal and we

ORDER this appeal DISMISSED.<sup>1</sup>

Becker, J.  
Becker

Shearing, J.  
Shearing

Gibbons, J.  
Gibbons

cc: Hon. Lee A. Gates, District Judge  
Christopher R. Oram  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk  
John Shadrick

---

<sup>1</sup>In light of our dismissal of this appeal, appellant's motion for an extension of time in which to file the fast track statement is denied as moot.