## IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN CORDOVA GARCIA, Appellant, vs. THE STATE OF NEVADA, Respondent. No. 40530

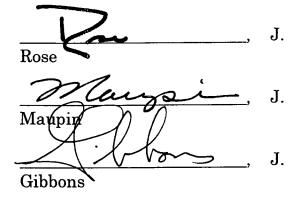
## FILED

JUN 2 7 2003

## ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of robbery with use of a deadly weapon. Appellant has filed a motion seeking the voluntary dismissal of this appeal "with prejudice." Appellant's counsel attests that appellant and the State have reached an agreement to amend the judgment of conviction and to dismiss this appeal. Counsel further states that appellant has agreed to dismiss this appeal and has directed counsel to file the motion to dismiss. Cause appearing, we grant the motion, and we hereby

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



<sup>1</sup>Because no remittitur will issue in this matter, <u>see</u> NRAP 42(b), the one-year period for filing a post-conviction petition for a writ of habeas corpus under NRS 34.726(1) shall commence to run from the date of this order.

JPREME COURT OF NEVADA cc: Hon. Sally L. Loehrer, District Judge Sciscento & Montgomery Attorney General Brian Sandoval/Carson City Clark County District Attorney David J. Roger Clark County Clerk

, PREME COURT OF NEVADA

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Sector States