

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN CORDOVA GARCIA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40530

FILED

JUN 27 2003

ORDER DISMISSING APPEAL

JANETTE W. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

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.¹

Rose _____ J.
Rose
Maupin _____ J.
Maupin
Gibbons _____ J.
Gibbons

¹Because no remittitur will issue in this matter, see 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.

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