

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARELL WAYNE KIRKWOOD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40899

FILED

JUL 16 2003

ORDER DISMISSING APPEAL

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

This is an appeal from a judgment of conviction, upon a plea of guilty, of grand larceny of a motor vehicle. Counsel for appellant has filed a motion to dismiss this appeal voluntarily. Counsel advises that he has informed appellant of the legal effects and consequences of voluntarily withdrawing this appeal, including that appellant cannot hereafter seek to reinstate this appeal, and that any issues that were or could have been brought in this appeal are forever waived. Having been so informed, appellant consents to a voluntary dismissal of this appeal. Accordingly, good cause appearing, the motion is granted, and we hereby

ORDER this appeal DISMISSED.¹

Shearing J.
Shearing

Leavitt J.
Leavitt

Becker J.
Becker

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.

cc: Hon. Andrew J. Puccinelli, District Judge
Elko County Public Defender
Attorney General Brian Sandoval/Carson City
Elko County District Attorney
Elko County Clerk