

IN THE SUPREME COURT OF THE STATE OF NEVADA

TOBIAH JAMES FRANKLIN, SR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 73523

**FILED**

APR 16 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DISMISSING APPEAL*

This is an appeal from a judgment of conviction. Second Judicial District Court, Washoe County; Jerome M. Polaha, Judge.

Appellant's counsel has filed a notice of voluntary withdrawal of this appeal. Counsel advises this court that she has informed appellant of the legal 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. Cause appearing, we

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

Cherry, J.  
Cherry

Parraguirre, J.  
Parraguirre

Stiglich, J.  
Stiglich

<sup>1</sup>Because 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. Jerome M. Polaha, District Judge  
Tanner Law & Strategy Group, Ltd.  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk