

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERNEST MILTON SMITH, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81307

FILED

FEB 03 2022

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

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Appellant's counsel has filed a notice of withdrawal of this appeal. Counsel advises this court 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. Cause appearing, this court

ORDERS this appeal DISMISSED.¹

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

Herndon, J.
Herndon

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: Chief Judge, Eighth Judicial District Court
Eighth Judicial District Court, Department 21
Special Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk