

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN M. LIPSITZ

APPELLANT,

v.

THE STATE OF NEVADA,

RESPONDENT.

CASE NO. 72057

DISTRICT NO. 1316678

Electronically Filed
 Jan 24, 2018 09:16 a.m.
 Elizabeth A. Brown
 Clerk of Supreme Court

**APPELLANT RYAN LIPSITZ'S SUBSTITUTION OF ATTORNEY, DECLARATION
 OF CURRENT COUNSEL AMY A. FELICIANO, ESQ., AND BRIAN VASEK'S
 NOTICE OF APPEARANCE AS COUNSEL FOR APPELLANT RYAN LIPSITZ**

COMES NOW, Appellant RYAN LIPSITZ through his attorney AMY A. FELICIANO, ESQ. and hereby substitutes BRIAN VASEK, ESQ., BAR # 13976, VASEK LAW PLLC, 170 SOUTH GREEN VALLEY PKWY #300 HENDERSON NV 89012, (702) 755-1441, BRIAN@VASEKLAW.COM, as attorney of record in place and stead of AMY A. FELICIANO, ESQ. in the above matter.

DECLARATION OF AMY A FELICIANO, ESQ.

I am an attorney duly licensed to practice law, and I am the attorney for RYAN LIPSITZ. ("LIPSITZ"). LIPSITZ is presently in the custody of the Nevada Department of Corrections, High Desert State Prison. I am an attorney duly licensed to practice law, and I am the attorney for LIPSITZ. The Nevada Department of Corrections, High Desert State Prison, presently has custody of LIPSITZ. As time is of the essence, and I am unable to meet with LIPSITZ personally, he cannot sign this document himself. However, LIPSITZ has implicitly and in good faith provided consent for my Substitution as Counsel of Record and for this Notice of

///

///

///

///

1 Appearance of Counsel. Additionally, I have implicit consent to sign this document in place and
2 stead of LIPSITZ and on his behalf.

3 DATED the 23rd day of January, 2018.

4
5 BY: */s/ Amy A. Feliciano, Esq.*
6 AMY A. FELICIANO, ESQ., Bar #9596
7 (with permission by LIPSITZ for Feliciano
8 to sign in place and stead for Appellant
9 LIPSITZ)

10 **AMY A. FELICIANO, ESQ.'S ACKNOWLEDGEMENT AND DECLARATION**
11 **REGARDING RYAN LIPSITZ'S SUBSTITUTION OF ATTORNEY**

12 I, AMY A. FELICIANO, ESQ. am currently Ryan Lipsitz's attorney. I am unable to draft
13 Mr. Lipsitz appeal because of a recently diagnosed serious and potentially fatal health condition
14 requiring surgery, extensive diagnostic testing, and a lengthy recovery period. I have had to close
15 my law office and can no longer practice law.

16 To ensure that my clients had as little disruption as possible, I consulted with Brian
17 Vasek, Esq. regarding the assumption of my legal representation of Mr. Lipsitz. He graciously
18 agreed and contacted Mr. Lipsitz's point of contact, Barry Lipsitz, who agreed to the substitution
19 of attorney for the present case.

20 Mr. Lipsitz's point-of-contact discussed the substitution with Mr. Lipsitz, who consented
21 to the substitution. Mr. Lipsitz is presently housed in the Nevada Department of Corrections, and
22 he has one (1) in-person visitation day per week. As time is of the essence, Mr. Lipsitz's original
23 signature could not be obtained prior to filing the instant document.

24 ///

25 ///

26 ///

27 ///

28 ///

BY: /s/ Amy A. Feliciano, Esq.
AMY A. FELICIANO, ESQ., Bar #9596
 (with permission by LIPSITZ for Feliciano
 to sign in place and stead for Appellant
 LIPSITZ)

///

NOTICE OF APPEARANCE AS COUNSEL FOR APPELLANT RYAN LIPSITZ

COMES NOW, BRIAN VASEK, ESQ. and provides this Honorable Court with his
NOTICE OF APPEARANCE AS COUNSEL OF RECORD FOR APPELLANT RYAN
LIPSITZ in the instant matter. Counsel consents to electronic service.

BRIAN VASEK, ESQ.'s contact information is the following:

BRIAN VASEK, ESQ.
Bar No. 13976
VASEK LAW PLLC
170 South Green Valley Pkwy #300
Henderson, Nevada 89012
(702) 755-1441
brian@vaseklaw.com

DATED the 23rd day of January, 2018.

BY: /s/ Brian Vasek, Esq.
BRIAN VASEK, ESQ., Bar #13976
(with permission by LIPSITZ for Brian
Vasek to sign in place and stead for
Appellant LIPSITZ)

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that electronic service of the foregoing document was made the 23rd day of January, 2018 to the following persons:

CLARK COUNTY DISTRICT ATTORNEY

ATTORNEY GENERAL / CARSON CITY

AMY A. FELICIANO, ESQ. (formerly FELICIANO LAW OFFICES LLC)

CERTIFICATE OF MAILING

I further certify that I served a copy of the foregoing document on the 23rd day January, 2018, by mailing a true and correct copy thereof, postage pre-paid addressed to:

RYAN LIPSITZ, #1169942
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS, NEVADA 89070

BY: /s/ Brian Vasek, Esq.