

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN MATTHEW LIPSITZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72057

**FILED**

APR 11 2019

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

*ORDER OF LIMITED REMAND TO SECURE APPELLATE COUNSEL*

This is an appeal from a judgment of conviction. This court previously granted appellant's counsel's motion to withdraw and directed that any newly retained counsel file a notice of appearance with this court forthwith. To date, no counsel has filed a notice of appearance on appellant's behalf.<sup>1</sup> Because appellant may not represent himself in this appeal, see NRAP 46A(b)(1), this matter is remanded to the district court for the limited purpose of securing counsel for appellant. See *Evitts v. Lucey*, 469 U.S. 387 (1985). If appellant is indigent, the district court shall have 30 days from the date of this order to appoint counsel for appellant. Otherwise, within 30 days from the date of this order, the district court shall order that appellant must retain counsel and that retained counsel must enter an appearance in the district court on appellant's behalf within 30 days from the date of the district court's order. Within 5 days from the appointment or appearance of counsel, the district court clerk shall transmit to the clerk of this court: (1) a copy of the district court's written

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<sup>1</sup>This court inadvertently neglected to provide appellant with a copy of the order.

or minute order appointing appellate counsel; or (2) a copy of the notice of appearance filed by retained counsel.

It is so ORDERED.

 C.J.

cc: Hon. Eric Johnson, District Judge  
Ryan Matthew Lipsitz  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk