

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * * *

STATE OF NEVADA,

Respondent,

vs.

NORMAN BELCHER,

Appellant.

Electronically Filed
May 02 2017 03:59 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court Case No. 64588


D.C. Case No. C-11-270562-1

MOTION TO WITHDRAW AS ATTORNEY OF RECORD
(Expedited Consideration Requested)

COMES NOW, MARK B. BAILUS, ESQ., of the law firm of BAILUS
COOK & KELESIS, LTD., and hereby moves this Honorable Court for leave to
withdraw as attorney of record for Defendant, NORMAN BELCHER. This
motion is based on the Affidavit of Mark B. Bailus, Esq. and the Points and
Authorities attached hereto, together with all pleadings and papers on file herein.

DATED this 2nd day of May, 2017.

BAILUS COOK & KELESIS, LTD.

By 
MARK B. BAILUS, ESQ.
Nevada Bar No. 2284
517 S. Ninth Street
Las Vegas, Nevada 89101

AFFIDAVIT OF COUNSEL
MARK B. BAILUS, ESQ.

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

MARK B. BAILUS, ESQ., having been first duly sworn, and upon information and belief, deposes and says:

1. That I am an attorney duly licensed to practice law in the State of Nevada and was appointed as appellate counsel for NORMAN BELCHER in Supreme Court Case No. 64588.

2. That on or about April 27, 2017, counsel for Defendant was appointed by Governor Sandoval to be the District Court Judge in Department 18 of the Eighth Judicial District Court, Clark County, Nevada.


3. That pursuant to Revised Nevada Code of Judicial Conduct Rule 3.10, “[u]nless otherwise permitted by law, a judge shall not practice law.”

4. That based on the foregoing, good cause exists to allow the undersigned counsel to withdraw as attorney of record for the Defendant.

5. That this request is made in good faith and not for purpose of delay.

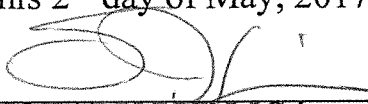
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 2nd day of May, 2017.



MARK B. BAILUS, ESQ.

SUBSCRIBED and SWORN to before me
this 2nd day of May, 2017.



NOTARY PUBLIC in and for said
County and State



POINTS AND AUTHORITIES


This motion is made pursuant to Rule 3.10 of the Revised Nevada Code of Judicial Conduct which provides, in pertinent part, “[u]nless otherwise permitted by law, a judge shall not practice law.” On or about April 27, 2017, counsel for Defendant, Mark B. Bailus, Esq., was appointed by Governor Sandoval to be the District Court Judge in Department 18 of the Eighth Judicial District Court, Clark County, Nevada. As such, good cause exists to allow the undersigned counsel to withdraw as attorney of record for the Defendant.

Defendant's last known address is Ely State Prison, 4569 North State Rt., Ely, Nevada 89301. The undersigned counsel is providing the Defendant with a copy of this motion that he is moving this Honorable Court to allow him to withdraw as attorney of record for the Defendant.

The Court should also be advised that the opening brief is due June 28, 2017. Accordingly, undersigned counsel requests expedited consideration of this motion to allow new counsel sufficient time to prepare for the same.

DATED this 2nd day of May, 2017.

BAILUS COOK & KELESIS, LTD.

By 
MARK B. BAILUS, ESQ.
Nevada Bar No. 2284
517 S. Ninth Street
Las Vegas, Nevada 89101

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On the 2nd day of May, 2017, I caused to be served a true and correct copy of the foregoing **MOTION TO WITHDRAW AS ATTORNEY OF RECORD** by the method indicated below:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☒ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.
- ☐ **BY EMAIL:** by emailing a PDF of the document(s) listed above to the email address(es) of the individual(s) listed below.
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the Supreme Court of Nevada for electronic filing and service upon the Court's Service List for the above-referenced case.

Electronic Submission:

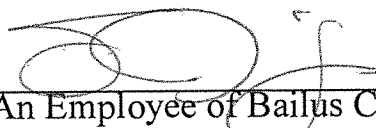
Steven Owens
Chief Deputy District Attorney
200 Lewis Avenue
Las Vegas, Nevada 89101

Adam Paul Laxalt
Attorney General - State of Nevada
Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701

U.S. Mail:

LEGAL MAIL - CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE

Norman Belcher #86113
Ely State Prison
4569 North State Rt.
Ely, Nevada 89301


An Employee of Bailus Cook & Kelesis, Ltd.