

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \* \*

STATE OF NEVADA,

Respondent,

vs.

NORMAN BELCHER,

Appellant.

Electronically Filed  
May 24 2017 08:15 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Supreme Court Case No. 7256  
D.C. Case No. C-11-270562-1

**NOTICE OF ENTRY OF ORDER GRANTING MOTION TO WITHDRAW  
AND REMANDING FOR APPOINTMENT OF COUNSEL**

PLEASE TAKE NOTICE that an Order Granting Motion to Withdraw and Remanding for Appointment of Counsel was entered on the 9<sup>th</sup> day of May, 2017. A copy of said order is attached hereto as Exhibit "A."

DATED this 23<sup>rd</sup> day of May, 2017.

BAILUS COOK & KELESIS, LTD.

By /s/ Mark B. Bailus  
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 23<sup>rd</sup> day of May, 2017, I caused to be served a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING MOTION TO WITHDRAW AND REMANDING FOR APPOINTMENT OF COUNSEL** 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

/s/ Shannon J. Fagin  
An Employee of Bailus Cook & Kelesis, Ltd.

# **EXHIBIT “A”**

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN DAVID BELCHER, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72325

FILED

MAY 09 2017

ELIZABETH J. BROWN  
CLERK OF THE SUPREME COURT  
DEPUTY CLERK  
*A. Wilcox*

ORDER GRANTING MOTION TO WITHDRAW AND REMANDING FOR  
APPOINTMENT OF COUNSEL

This is a direct appeal from a judgment of conviction and a sentence of death. Counsel for appellant has filed a motion to withdraw explaining that he has been appointed by Governor Sandoval to the Eighth Judicial District Court bench. Cause appearing, we grant the motion to withdraw. See CJC 3.10. The clerk of this court shall remove Mark B. Bailus as counsel of record for appellant.

We remand this appeal to the district court for the limited purpose of securing appellate counsel for appellant. See *Evitts v. Lucey*, 469 U.S. 387 (1985). The district court shall have 30 days from the date of this order to appoint counsel for appellant who is qualified to represent an appellant on direct appeal from a judgment of conviction and sentence of death. See SCR 250(2)(d). Upon the appointment or appearance of appellate counsel, the district court clerk shall immediately transmit to the clerk of this court a copy of the district court's written or minute order or counsel's notice of appearance.

The briefing schedule is suspended pending further order of this court.

It is so ORDERED.

*Cherry*, C.J.

17-15483

cc: Hon. Elissa F. Cadish, District Judge  
Bailus Cook & Kelesis  
Attorney General/Carson City  
Clark County District Attorney  
Norman David Belcher, Jr.  
Eighth District Court Clerk