

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENELYN BAUTISTA,  
Respondent,  
vs.  
JAMES PICONE,  
Respondent.

No. 72713

**FILED**

MAY 31 2017

ELIZABETH A. BROWN  
CLERK OF THE SUPREME COURT  
By *[Signature]*  
DEPUTY CLERK

*ORDER TO FILE APPENDIX AND REGARDING PRO BONO COUNSEL*

This is an appeal from a district court order denying a motion to modify child custody. Appellant has filed the fast track statement, but has not filed an appendix as required by NRAP 3E(d)(1), (4). Appellant shall have 15 days from the date of this order to file and serve the appendix.

Respondent is proceeding in pro se. Having considered the documents transmitted by the district court and appellant's fast track statement, this court has determined that the appointment of pro bono counsel to represent respondent would assist this court in reviewing this appeal. By this order, the court expresses no opinion as to the merits of this appeal.

Pro bono counsel is an attorney who provides legal services without charge for the benefit of the public good. The appointment of pro bono counsel provides attorneys with an opportunity to volunteer legal services in furtherance of their professional responsibility and, at the same time, allows financially eligible litigants access to quality legal representation without cost. Counsel will be appointed for purposes of this appeal only and will participate in oral argument. Currently, the Pro Bono Committee of the Appellate Litigation Section of the State Bar of

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Nevada (Pro Bono Committee), in conjunction with the Legal Aid Center of Southern Nevada, has developed a pro bono appellate program to assist the public and this court. This case is hereby referred to the program established by the Pro Bono Committee to evaluate whether respondent can benefit from the program.

Accordingly, we direct the clerk of this court to transmit a copy of this order and the attached case summary to the Legal Aid Center of Southern Nevada for financial eligibility screening. If respondent qualifies and does not object to pro bono counsel, the Legal Aid Center in cooperation with the Pro Bono Committee shall locate a volunteer attorney from the program to represent respondent. Once an attorney is located, the attorney shall file a notice of appearance in this court within 60 days from the date of this order. The time for filing the fast track response and oral argument will be scheduled thereafter. Alternatively, if respondent is not financially eligible or objects to pro bono representation, or if a volunteer attorney cannot be located, the Legal Aid Center of Southern Nevada shall notify this court in writing within 60 days from the date of this order. In such case, oral argument will not be held. The briefing schedule in this appeal shall be suspended pending further order of this court.

It is so ORDERED.

Cherry, C.J.

cc: Black & LoBello  
James Picone  
Legal Aid Center of Southern Nevada, Barbara E. Buckley,  
Executive Director  
Anne R. Traum, Coordinator, Appellate Litigation Section,  
Pro Bono Committee, State Bar of Nevada  
Kelly Dove

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The parties were never married. They have one child, now five years old. The parties entered a stipulated parenting plan agreeing to share joint physical custody. The parties began not complying with the parenting plan, and filed competing motions to modify custody in the district court. The district court appointed a psychological expert to evaluate the parties and the circumstances. In addition, appellant made allegations of sexual misconduct by respondent, but it is not clear whether criminal charges have been pursued.