

IN THE SUPREME COURT OF THE STATE OF NEVADA

DWIGHT CONRAD SOLANDER, )  
Appellant, )  
 )  
 )  
 )  
 )  
vs. )  
 )  
 )  
THE STATE OF NEVADA, )  
Respondent )  
\_\_\_\_\_ )

Case No. 76405

Notice of Disassociation, Motion to  
Vacate Sanctions; Motion for  
Extension  
Electronically Filed  
Feb 15, 2019 02:02 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Comes now, Lester M. Paredes III, Esq., in response to the this Court's order dated and filed February 13, 2019 which imposes sanctions upon the same based a failure to file a transcript request, opening brief and appendix. Mr. Paredes hereby notices his disassociation of counsel from this matter, and moves the Court to vacate the sanctions issued because of the misrepresentations relied upon by the Court in issuing those sanctions.

Dated: February 15, 2019

/s/ Lester M. Paredes III, Esq.

Lester M. Paredes III, Esq.

Attorney, NV SBN 11236

**NOTICE OF DISASSOCIATION OF COUNSEL**

PLEASE TAKE NOTICE that Lester M. Paredes III, Esq. is not employed by Mueller Hinds & Associates and is since his final day, December 3, 2018, and this is no longer the attorney of record in the appeal and above-referenced matter. All papers and pleadings and correspondence in this matter should be served upon Mueller Hinds & Associates, Craig A. Mueller, Esq. at [cmueller@muellerhinds.com](mailto:cmueller@muellerhinds.com), 600 S. 8<sup>th</sup> St., Las Vegas, NV 89101.

Dated: February 15, 2019

/s/ Lester M. Paredes III, Esq.

Lester M. Paredes III, Esq.

Attorney, NV SBN 11236

## **MOTION TO VACATE SANCTIONS AND FOR EXTENSION**

On February 13, 2019, the Supreme Court of Nevada, based on the motion to extend time filed by Mueller Hinds & Associates, ordered Lester M. Paredes III, Esq. to pay \$250 in sanctions for failing to respond to the Court's conditional sanction order.

Mr. Paredes has not worked at Mueller Hinds & Associates since his last day on December 3, 2019. Furthermore, Mueller Hinds & Associates misrepresented to the Court that Mr. Paredes failed to inform them of pending deadlines in this matter. This allegation is categorically false. Mr. Paredes, numerous times from 2017 through 2018, shared a spreadsheet with staff at Mueller Hinds & Associates as well as Mr. Mueller himself. The spreadsheet had all of the cases and appeals in one tab that he was working on and their upcoming deadlines. Mueller Hinds & Associates had access to this spreadsheet throughout my tenure as appellate counsel through 2018 and my departure and accessed it as recently as December 27, 2018. Thus, given the misrepresentations to the Court, the Court's reliance on those misrepresentations to the detriment of Mr. Paredes and resulting in sanctions against Mr. Paredes based on misrepresentations, the Court should vacate the order or reissue sanctions against the appropriate party.

Furthermore and respectfully, the Order erroneously attributes to Mueller Hinds & Associates something that is not stated in their moving papers: the assertion that “Mr. Paredes field to inform the office of the conditional sanction order or of the fact that he had not filed the opening brief and appendix before he left the office.” However, Mr. Mueller’s request for an extension does not claim that Mr. Paredes failed to inform the office of the lack of an opening brief or appendix, only that he “failed to inform the office that he did not file the rough draft transcript; Mr. Paredes prepared the Proof [sic] of request for transcript but never filed it...” (Compare Order Granting Motion and Imposing Sanctions, filed Feb. 13, 2019, with Motion for Extension of Time, filed Feb. 5, 2019.) There is no claim that Mr. Paredes filed to inform the office about the conditional sanction order or a failure to file a brief and appendix.

Mr. Paredes is also requesting that the Court extend time for Mr. Paredes to pay the sanctions until the Court can resolve the identity of the responsible party for the failure to meet the deadlines in this matter or determine whether to grant the relieve requested herein.

Dated: February 15, 2019

/s/ Lester M. Paredes III, Esq.  
Lester M. Paredes III, Esq.  
Attorney, NV SBN 11236

**DECLARATION OF LESTER M. PAREDES III, ESQ.**

I, Lester M. Paredes, hereby declare that:

1. Any allegation that I failed to inform Mueller Hinds & Associates of upcoming deadlines with respect to any appeal is categorically false;
2. I am a former associate of Mueller Hinds & Associates tasked with handling this appeal and others after I moved to Florida and began working remotely in 2017;
3. As I worked remotely at the time, the division of labor was 1) for Mueller Hinds & Associates to request transcripts and file transcript requests, track their production, and 2) for me to draft and file the briefs, motions and appendices;
4. Sometimes, I would draft transcript requests if the office was too busy to handle their division of labor;
5. Throughout my handling of appeals, I used a sharable spreadsheet to track deadlines and work remotely and collaboratively;
6. The spreadsheet had the name of the appellant, current status, future deadlines, and notes surrounding the case;
7. I have shared this spreadsheet numerous times with both Mueller Hinds & Associates staff and Craig A. Mueller, Esq. himself;

8. I sent emails to staff at Mueller Hinds & Associates on August 24, 2018, October 30, 2018, October 25, 2018 with links to the spreadsheet;
9. Those emails were confirmed to have been received;
10. Attached are screenshots with the link to the spreadsheet with the link to the sheet partially redacted for privacy purposes as well as confirmation that the spreadsheet was received by staff;
11. On October 25, 2018, I sent Mr. Mueller a text message with a link for him to access the spreadsheet, attached;
12. Mr. Mueller and I spoke on November 30, 2018 specifically about this matter and the deadlines;
13. In November, 2018, I informed Mueller Hinds & Associates that I would be accepting a position at a different law firm in California and my last day would be December 3, 2018;
14. Before leaving the firm, I went over each and every upcoming deadline with Mr. Mueller or his staff;
15. With respect to Appellant, Mr. Solander, I have a record of a November 29, 2018 at 4:09 p.m. PST, text message to Mr. Mueller regarding this matter that I have not attached because of attorney-client privilege and confidentiality. Mr. Mueller's response came on November 30, 2018 at 5:30 a.m. PST requesting a call upon waking up. I called Mr. Mueller's personal cell phone

at 7:37 a.m. on November 30, 2018 and spoke with him or his staff for 3 minutes. At 11:20 a.m. on the same day, I received a call from Mr. Mueller's personal cell phone and spoke with Mr. Mueller for 6 minutes. I believe that during these calls, at a minimum, Mr. Mueller and I discussed the pending deadlines and requirements for requesting a continuance for Mr. Solander. It was on or around that time that I filed "Appellant's Motion for Enlargement of Time" which explained the lack of a transcript request. That request was granted on December 11, 2018, cc'd to Mueller Hinds & Associates, giving Appellant five days to file a transcript request. At that point, I had not been working for Mueller Hinds & Associates for 8 days and any mail would have been sent to their office giving them notice of the new deadlines.

16. I have also attached a redacted screenshot showing that an anonymous user accessed and changed the spreadsheet on December 27, 2018 and November 30, 2018, at a minimum. Given that I have only shared this spreadsheet with staff and attorneys at Mueller Hinds & Associates, these entries can only be from that office.

17. I declare under the penalty of perjury that the foregoing is true and correct.

Dated: February 15, 2019

/s/ Lester M. Paredes III, Esq.  
Lester M. Paredes III, Esq.  
Attorney, NV SBN 11236

# EXHIBIT A

← December 27, 2:52 PM

	A	B	C	D	E	F
1	CLIENT	CASE TYPE	CASE #	TASK	DUE	NOTE
2						
3	Solander, Dwight	Direct Appeal	C-14-299737-1 76405	Mot for enlargement of time	11/29/18	
4						
5						
6						
7						
8						
9						

## Version history

Only show named versions ☐

### DECEMBER 2018

**December 27, 2:52 PM**

*Current version*

● All anonymous users

### NOVEMBER 2018

November 30, 10:07 PM

● Lester Paredes III

▶ November 30, 11:24 AM

● Lester Paredes III

● All anonymous users

▶ November 29, 10:01 PM

● Lester Paredes III

▶ November 29, 5:10 PM

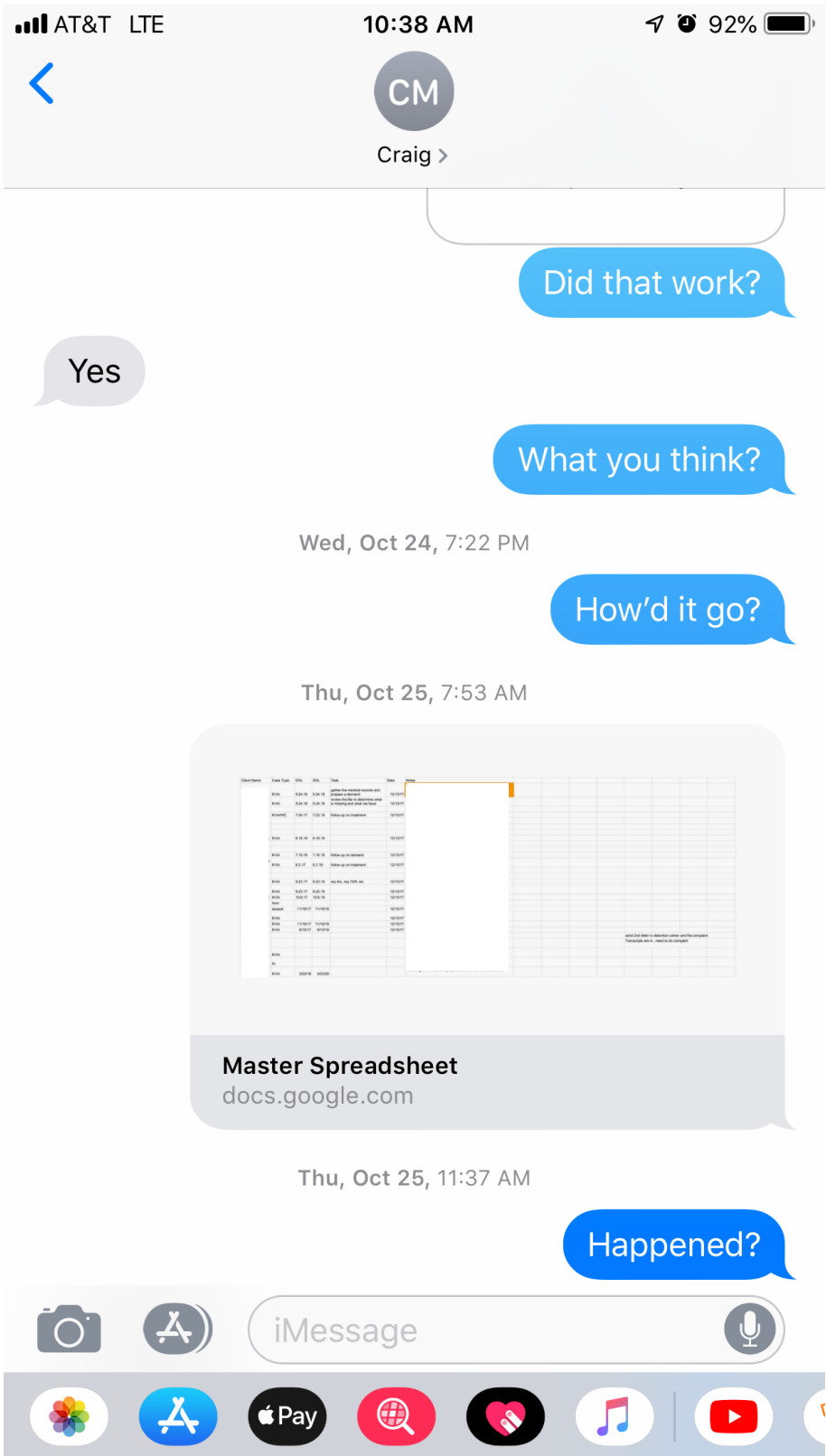
● Lester Paredes III

▶ November 29, 11:56 AM

● Lester Paredes III

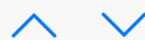


November 20, 10:58 AM	
● All anonymous users	
November 20, 10:58 AM	
● All anonymous users	
November 20, 10:57 AM	⋮
● All anonymous users	
November 20, 10:57 AM	
● All anonymous users	
November 20, 10:56 AM	
● All anonymous users	
November 20, 10:56 AM	
● All anonymous users	



< Spreadsheet

2 of 3



From: Rosa Ramos >

To: Lester Paredes >

Hide



## RE: Spreadsheet

August 24, 2018 at 12:44 PM

Found in Important Mailbox

Thank you!

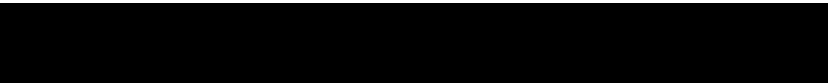
**From:** Lester Paredes III <[les.paredes@gmail.com](mailto:les.paredes@gmail.com)>

**Sent:** Friday, August 24, 2018 12:41 PM

**To:** Rosa Ramos <[dui@muellerhinds.com](mailto:dui@muellerhinds.com)>

**Subject:** Spreadsheet

<https://docs.google.com/spreadsheets/d/>



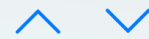
Sent from my iPhone





5 Messages

Master Spreadsheet - Invitation to edit



→ **Gisselle Villa**

10/30/18



To: Lester Paredes

[Details](#)

Still wont let me make changes

**From:** Lester Paredes III (via Google Sheets)

<[les.paredes@gmail.com](mailto:les.paredes@gmail.com)>

**Sent:** Tuesday, October 30, 2018 9:27 AM

**To:** Giselle Villa <[Civil@muellerhinds.com](mailto:Civil@muellerhinds.com)>

**Subject:** Master Spreadsheet - Invitation to edit

[Lester Paredes III](#) has invited you to **edit** the following spreadsheet:



[Master Spreadsheet](#)

[Open in Sheets](#)

This email grants access to this item without logging in. Only forward it to people you trust.

Google Sheets: Create and edit spreadsheets online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA



You have received this email because someone shared a spreadsheet with you from Google Sheets.

[See More](#)



## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on February 15, 2019. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

STEVEN S. OWENS, ESQ.  
Chief Deputy District Attorney  
Nevada Bar No. 4352  
200 S. Third Street  
P.O. Box. 552212  
Las Vegas, NV 89155  
[Steven.Owens@clarkcountyda.com](mailto:Steven.Owens@clarkcountyda.com)  
(702) 382-5815-Fax  
Counsel for the Respondent

ADAM P. LAXALT, ESQ.  
Nevada Attorney General  
Nevada Bar No. 12426  
100 North Carson Street  
Carson City, Nevada 89701  
[Adam.Laxalt@ag.nv.gov](mailto:Adam.Laxalt@ag.nv.gov)  
(702) 486-3768-Fax  
Counsel for Respondent

CRAIG A. MUELLER, ESQ.  
Nevada Bar No. 4703  
600 S. Eighth St.  
Las Vegas, NV 89101  
(702) 940-1234  
[cmueller@muellerhinds.com](mailto:cmueller@muellerhinds.com)  
[civil@muellerhinds.com](mailto:civil@muellerhinds.com)  
Attorney for Appellant

Dated: February 15, 2019

/s/ Lester M. Paredes III, Esq.  
\_\_\_\_\_  
Lester M. Paredes III, Esq.  
Attorney, NV SBN 11236