

K. Ryan Helmick, Esq.  
Richard Harris Law Firm, LLP.  
801 S. 4<sup>th</sup> St.  
Las Vegas, NV 89101  
Telephone (702) 333-3333  
Ryan@thedefenders.net

Electronically Filed  
Jan 15 2020 06:20 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

In the matter of the application of,

Case No.: 80318

KODY HARLAN,  
Appellant,

STATE OF NEVADA,  
Respondent

**MOTION TO WITHDRAW AS COUNSEL OF RECORD**

COMES NOW K. RYAN HELMICK, ESQ. of RICHARD HARRIS LAW FIRM, counsel for Appellant, KODY HARLAN, and hereby requests that this Court enter an Order allowing undersigned counsel to withdraw as attorney of record for the Appellant.

This Motion is made and based upon all the pleadings and papers on file herein, the within Point And Authorities, the Affidavit of K. Ryan Helmick, Esq. attached hereto and incorporated herein by reference, and any and all arguments adduced at the time of the hearing.

DATED this 15 day of JANUARY 2020.

Respectfully Submitted,

By: 

**K. RYAN HELMICK, ESQ.**

Nevada State Bar No. 12769

**RICHARD HARRIS LAW FIRM**

830 South Fourth Street

Las Vegas, Nevada 89101

Phone (702) 333-3333

Fax (702) 444-4466

**POINTS AND AUTHORITIES**

The Nevada Rules of Appellate Procedure provide for the withdrawal of Counsel.  
More specifically, NRAP Rule 46(e)(3) provides, in pertinent part, as follows:

**Withdrawal.** A withdrawal of counsel may be effected only by filing a motion in the court. The withdrawing attorney shall serve a copy of the motion on the attorney's client and any adverse party. The motion shall clearly state the reasons for the attorney's withdrawal consistent with SCR 46 and RPC 1.16 ....

As detailed in the attached Affidavit of K. RYAN HELMICK, ESQ., Appellant, KODY HARLAN, only retained counsel in this case at the District Court level. Appellant has neither retained our office for the appeal nor has he paid attorney's fees for the appeal. Undersigned counsel therefore believes that the client's interests would be best served if the undersigned were able to withdraw as counsel from this matter.

**CONCLUSION**

It is therefore respectfully requested that this Court enter an Order allowing counsel for the Appellant to withdraw as counsel of record.

By: 

**K. RYAN HELMICK, ESQ.**

Nevada State Bar No. 12769

**RICHARD HARRIS LAW FIRM**

801 South Fourth Street

Las Vegas, Nevada 89101

Phone (702) 333-3333

Fax (702) 444-4466

**AFFIDAVIT OF K. RYAN HELMICK, ESQ.**

STATE OF NEVADA     )  
  )ss:  
COUNTY OF CLARK    )

K. RYAN HELMICK, ESQ., being first duly sworn, deposes and says that I have personal knowledge of and am competent to testify to the following facts.

1. That I was the attorney of record for Defendant, KODY HARLAN (hereinafter "Appellant"), in the District Court case, Case No. C-18-333318-2.

2. Appellant only retained counsel for the District Court case. Appellant has neither retained our office for the appeal nor has he paid attorney's fees for the appeal.

3. As counsel for the Appellant, I submit that the client's interests would be best served if I were allowed to withdraw from this action.


4. That your Affiant respectfully requests that he be allowed to withdraw as counsel.



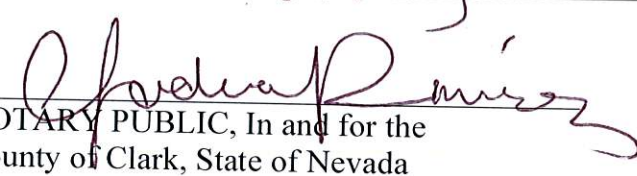
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

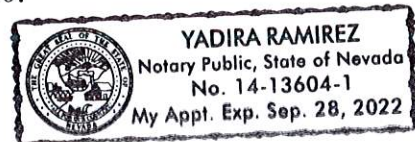
5. Appellant's last known address and telephone number are: KODY HARLAN,  
High Desert State Prison, P.O. Box 650, Indian Springs, NV 89070-0650. Phone No.  
702-745-6656.

Further your Affiant sayeth naught.

By:   
K. RYAN HELMICK, ESQ.

SUBSCRIBED AND SWORN to before me  
This 15 day of January, 2020.

  
NOTARY PUBLIC, In and for the  
County of Clark, State of Nevada



**CERTIFICATE OF SERVICE**

I hereby certify that on the 15 day of January, 2020, I  
served a true and correct copy of the foregoing document entitled **MOTION TO  
WITHDRAW** to those listed below by sending a copy via electronic mail and/or U.S.  
mail to and/or via hand delivery:

SUPREME COURT CLERK  
Supreme Court Building  
201 S. Carson Street  
Carson City, Nevada 89701

STEVE WOLFSON  
District Attorney  
200 Lewis Avenue  
Las Vegas, Nevada 89101

**RICHARD HARRIS LAW FIRM**

801 S.4<sup>th</sup> St.

Las Vegas, NV 89101

Tel (702) 333-3333 | Fax (702) 444-4466

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

KODY HARLAN, ID# 1226941  
High Desert State Prison  
P.O. Box 650  
Indian Springs, NV 89070-0650

AARON FORD, ESQ.  
Nevada Attorney General  
100 North Carson Street  
Carson City, Nevada 89701-4717

By:



An employee of Richard Harris Law Firm