

IN THE SUPREME COURT OF THE STATE OF NEVADA

CASEY ALAN JOHNS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83064

FILED

OCT 21 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER GRANTING MOTION TO WITHDRAW AND OF LIMITED
REMAND*

This is a direct appeal from a judgment of conviction. Attorney David Kalo Neidert has filed a motion to withdraw as counsel for appellant, to suspend the proceedings, and to remand for the appointment of alternative appellate counsel. Neidert explains that he has accepted a position with the state of Nevada and is closing his private practice. Respondent does not oppose the motion. Cause appearing, the motion is granted. *See* NRAP 46(d)(3); RPC 1.16(b)(7). The clerk of this court shall remove Neidert as counsel of record for appellant.

This court remands this appeal to the district court for the limited purpose of securing counsel for appellant. *See Evitts v. Lucey*, 469 U.S. 387 (1985). If appellant is indigent, the district court shall have 30 days from the date of this order to appoint counsel for appellant. Otherwise, within 30 days from the date of this order, the district court shall order that appellant must retain counsel and that retained counsel must enter an appearance in the district court on appellant's behalf within 30 days from the date of the district court's order. Within five (5) days from the appointment or appearance of counsel, the district court clerk shall

transmit to the clerk of this court a copy of the district court's written order appointing appellate counsel or a copy of the notice of appearance filed by retained counsel.

The deadlines for filing documents in this appeal are suspended until further order of this court.

It is so ORDERED.

1 Sardeshy, C.J.

cc: Hon. Thomas L. Stockard, District Judge
David Kalo Neidert
Casey Alan Johns
Attorney General/Carson City
Churchill County District Attorney/Fallon
Churchill County Clerk