

case no. 83136

In The Supreme Court of The State of Nevada
office of the Clerk

JUL 07 2021

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

Daine Anton Crawley,
Appellant,
vs.

Supreme Court NO. *[illegible]*
District Court Case NO: A816041, C341735

Brian Williams Warden High
Desert State Prison
Respondent,

Dated: July 2nd, 2021

Request For Withdrawal of Counsel and Transcript S
Comes Now, Petitioner Daine A. Crawley #1167447, to
request that the enclosed "Proof of Service" be filed
to "withdraw Counsel of record" and File Appeal
to Post-Conviction Habeas Corpus. The Post Conviction
Habeas Corpus grounds # 1-5 are the intended petition
to be filed accordingly all documents that were also
received on July 1st 2021. If there is any other
discrepancies please address them in a timely
manner, so the petitioner may respond immediately.
Contact with prior Attorney Carl Arnold, Esq., has
been futile, as he has not fulfilled his obligations
as Appellate Counsel whatsoever. Please grant motion
to withdraw and allow appellant to proceed with
Post-conviction Habeas Corpus dated June 2021, at
this time. Respectfully Submitted,

Daine A. Crawley #1167447
WSCC

P.O. BOX 7007

Carson City, NV 89702

21-19420

RECEIVED

JUL 07 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
CHIEF DEPUTY CLERK

Daine A. Crawley # 1167447
Warm Springs Correctional Center
P.O. Box 7007
Carson City, Nevada 89702

Defendant, In Proper Person

IN THE 9th JUDICIAL DISTRICT COURT OF THE STATE OF
NEVADA IN AND FOR THE COUNTY OF Clark and Nevada Supreme Court

<u>Daine A. Crawley</u> # <u>1167447</u> Defendant/Petitioner	***** Supreme Court NO. <u>83136</u> District Case No. <u>A816041; C341735</u> Dept. No. _____
Vs.]
]
STATE OF NEVADA,]
Respondent]

MOTION FOR COURT TO ORDER DISCHARGED ATTORNEY TO TRANSFER ALL PAPERS,
Transcripts, DOCUMENTS AND PLEADINGS TO THE PETITIONER

COMES NOW, Petitioner, Daine Crawley # 1167447, in his proper person, and respectfully requests this Honorable Court for an Order to Withdraw Appellate Counsel / Habeas Corpus Counsel, as his attorney of record in the above entitled action, and for the transfer of Petitioner's documents, pleadings, papers and transcripts, in the above-entitled action.

This Motion is made and based upon the foregoing points and authorities, and all papers, pleadings and documents on file herein.

Dated this 2nd day of July, 2021.

Respectfully Submitted, #
Daine A. Crawley # 1167447
WSCC
P.O. Box 7007
Carson City, NV 89702

POINTS AND AUTHORITY

Petitioner, Drine A. Crawley #1167447, in his proper person, in support of his Motion for Withdrawal of Attorney of Record and Transfer of Records, offers the following:

The Nevada Revised Statute (hereinafter NRS) 7.055(1), which deals with the duty of a discharged attorney, states:

“An attorney who has been discharged by his client shall, upon demand and payment of the fee due from the client, immediately deliver to the client all papers, documents, pleadings and item tangible personal property which belong to or were prepared for that client.”

The Petitioner does not owe any monies to the aforementioned attorney, in fact, the Petitioner is indigent, and proceeding in his Proper Person in further litigation in this case.

NRS 7.055 (2) gives the Court the power to Order the Respondent to produce and deliver to the Petitioner all the documents and property belonging to the Petitioner in Respondents possession. It further states:

“A client who, after demand therefore and payment of the fee due from the client, does not receive from his or her discharged attorney all papers, documents, pleadings, and items of tangible personal property may, by a motion filed after at least five (5) days' notice to the attorney, obtain an order for the production of his or her papers, documents, pleadings, and items of tangible personal property.”

Petitioner requested by letter all papers, pleadings, and documents from appointed counsel, said letter being mailed to attorney on the 2nd day of July 2021. Additionally, Petitioner requested that counsel submit to the court his withdrawal as attorney of record.

CONCLUSION

Based upon the foregoing motion, Petitioner respectfully request that this Honorable Court issue an Order releasing Defendant's Counsel of record, Attorney Carl Arnold of CEGA Law Group And order counsel to promptly transfer file(s) to Defendant.

Date this 2nd day of July 2021.

Drine Crawley #1167447 Respectfully Submitted,
WSCC Defendant, In Proper Person
P.O. Box 7007
Carson City, NV 89702

CERTIFICATE OF SERVICE

I, Daine Crawley # 1167447, certify that the foregoing, "Motion for Withdrawal of Attorney of Record and Transfer of Records", was served upon the following parties, by placing same in the United States Postal Service, postage prepaid, pursuant to NRCP 5, and addressed as follows:

Carl Arnold, Esq., (Court Appointed)
County Public Defender's Office
CEGA Law Group
1428 S. Jones BLVD.
Las Vegas, NV 89146

& Steve Wolfson
County District Attorney's Office
200 Lewis Avenue
Las Vegas, NV 89155

Roger Bailey, Esq.,
CEGA Law Group
1428 S. Jones BLVD.
Las Vegas, NV 89146

Clerk of
Supreme Court of Nevada
201 S. Carson Street Suite 201
Carson City, NV 89101

Dated this 2nd day of July 2021.

Daine A. Crawley
Defendant, In Proper Person

Warm Springs Correctional Center
P.O. Box 7007
Carson City, Nevada 89702

AFFIRMATION PURSUANT TO NRS 239B.030

I do verify that the preceding Motion for Withdrawal of Attorney of Record and Transfer of Records does *NOT* contain the social security number of any person.

Dated this 2nd day of July 2021

BY: Daine A. Crawley # 1167447 Daine A. Crawley
Petitioner

IN THE 8th JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE COUNTY OF

Clark and Nevada Supreme Court

THE STATE OF NEVADA,
Plaintiff/Respondent

Supreme Court No. 83136

Case No. A816041, C341735

Dept No. _____

Vs.

Daine Crowley #1167447
Defendant/ Petitioner

ORDER

Defendant has filed a motion for Withdrawal of Attorney of Record and Transfer of files, to Defendant. The Court having read and considered Defendant's motion, and good cause appearing;

It is hereby Ordered that Defendant's motion for Withdrawal of Attorney of Record and Transfer of Files is **GRANTED**.

It is further Ordered that Attorney Carl F.G. Arnold ESQ. of The
CEGA LAW GROUP, or Roger Bailey ESQ, of CEGA LAW GROUP
shall promptly transfer the Defendant's files, papers, pleadings, and documents to him.

Dated this 2nd day of July, 2021.

DISTRICT COURT JUDGE