

IN THE SUPREME COURT OF THE STATE OF NEVADA

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TULY LEPOLO,

Appellant,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF  
NEVADA, IN AND FOR THE COUNTY OF CLARK; THE  
HONORABLE MICHAEL VILLANI, DISTRICT JUDGE; AND THE  
HONORABLE DAVID BARKER, SENIOR DISTRICT COURT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,

Real Party in Interest.

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**Docket No. 83755**

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Direct Appeal From An Order of the District Court,  
Order Denying Defendant's Second Motion for Bail  
Eighth Judicial District Court  
The Honorable David Barker, Senior District Court Judge – Sitting for  
Department 17  
District Court No. C-20-345911-1

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**NOTICE OF APPEARANCE AS COUNSEL FOR APPELLANT**

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Jason R. Margolis, Esq.  
State Bar No. 012439  
YAMPOLSKY & MARGOLIS  
625 South Sixth Street  
Las Vegas, Nevada 89101  
(702) 385-9777  
Attorneys for Appellant Tuly Lepolo

On October 28, 2019, Mr. Tutauma Lepolo was charged by way of a Criminal Complaint with Open Murder with Use of a Deadly Weapon under the name “Tuly Lepolo”. Mr. Lepolo was arrested on a “no bail” arrest warrant and since his detention, he has been held without bail.

On January 6, 2020, Mr. Lepolo unconditionally waived his preliminary hearing and was bound over to district court after an Amended Criminal Complaint was filed alleging a count of Assault with a Deadly Weapon in addition to the charged murder.

On January 27, 2021, counsel for Mr. Lepolo filed a “Motion for Defendant Lepolo’s Release on House Arrest or, in the Alternative, Motion to Set Reasonable Bail Pending Trial”, which was denied. On April 1, 2021, counsel for Mr. Lepolo filed a renewed motion for bail, which was also denied.

On or about November 10, 2021, W. Jeremy Storms, Chief Deputy Special Public Defender for Mr. Lepolo filed the Petition for Writ of

Mandamus in this case.

On December 3, 2021, the district court dismissed Mr. Storms of his representation of Mr. Lepolo in the underlying case. On December 10, 2021 undersigned counsel, Jason R. Margolis, Esq., was appointed to represent Mr. Lepolo in the place and stead of Mr. Storms.

On December 23, 2021, this Court entered an Order Directing Answer from the State in the instant case. On December 28, 2021, the Clark County Special Public Defender's Office filed their Motion to Withdraw. As of this filing, this Court has not ruled on that Motion.

The undersigned counsel submits his notice of appearance as attorney of record for this writ. Jason R. Margolis, Esq. was appointed in the Eighth Judicial District Court as counsel in Case No. C-20-345911-1. Therefore, he requests that he serve as appellate counsel for Mr. Lepolo as the cases are related.

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Counsel is aware that the deadline to file a Reply, if any, to the State of Nevada's Answer to the writ is due on February 3, 2021.

Dated this 29<sup>th</sup> day of December, 2021.

YAMPOLSKY & MARGOLIS

/s/ Jason R. Margolis, Esq.

MACE J. YAMPOLSKY, ESQ.

Nevada Bar No. 1945

JASON R. MARGOLIS, ESQ.

Nevada Bar No. 12439

625 South Sixth Street

Las Vegas, Nevada 89101

Attorney for Tuly Lepolo

#### CERTIFICATE OF SERVICE

The undersigned does hereby certify that on 29<sup>th</sup> day of December, 2021, a copy of the foregoing Notice of Appearance was served by electronic filing.

/s/ Theresa J. Muzgay

An Employee of

YAMPOLSKY & MARGOLIS