

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

2
3 IN THE MATTER OF THE)
4 RESIGNATION OF ATTORNEY)
5 THEODORE ROSS CERCOS)
6 NEVADA BAR NUMBER: 5603)
7 _____)

Electronically Filed
Apr 11 2022 10:48 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 **S.C.R. 98(5)(a) PETITION FOR RESIGNATION**

9 S.C.R. 98(5)(a) states:

10 Any member of the state bar who is not actively engaged in the
11 practice of law in this state, upon written application on a
12 form approved by the state bar, may resign from
13 membership in the state bar if the member: (1) has no
14 discipline, fee dispute arbitration, or clients' security
15 fund matters pending and (2) is current on all
16 membership fee payments and other financial
17 commitments relating to the member's practice of law in
18 Nevada. Such resignation shall become effective when
19 filed with the state bar, accepted by the board of
20 governors, and approved by the Supreme Court.

WHEREAS:

(1) Attorney Theodore Ross Cercos, Bar Number 5603, submitted an application requesting resignation from membership in the State Bar of Nevada and relinquishing the right to practice law in this state in accordance with S.C.R. 98(5)(a) (See Attachment 1); and

(2) The Applicant attorney has no discipline, fee dispute arbitration, or clients' security fund matters pending and is current on all membership fee payments and other financial commitments relating to the member's practice of

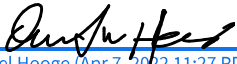
1 law in Nevada as evidenced by Exhibits A-D to Applicant's original application
2 with Exhibit A demonstrating SCR 115 compliance; and

3 (3) The application was approved by the Board of Governors;

4 (4) In accordance with SCR 98(5)(a), Applicant, by and through the
5 State Bar of Nevada, hereby requests that this Honorable Court enter its Order
6 approving Applicant's resignation.

7 Submitted this 7th day of April 2022.

8 STATE BAR OF NEVADA

9
10 By: 
11 Daniel Hooge (Apr 7, 2022 11:27 PDT)
12 DANIEL M. HOOGE
13 BAR COUNSEL
14 Bar No. 10620
15 3100 W. Charleston Blvd., Ste. 100
16 Las Vegas, Nevada 89102
17 (702) 382-2200

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ATTACHMENT 1

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Cercos - PETITION for Resignation SCR98.5a


Final Audit Report

2022-04-07


Created:	2022-04-07
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FILED

APR -7 2022

STATE BAR OF NEVADA

BY: [Signature]
OFFICE OF BAR COUNSEL

BEFORE THE

STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE)
RESIGNATION APPLICATION OF)
THEODORE ROSS CERCOS)
Bar Number: 5603)

SCR 98(5) APPLICATION FOR RESIGNATION

WHEREAS SCR 98(5) states:

Any member of the state bar who is not actively engaged in the practice of law in this state, upon written application on a form approved by the state bar, may resign from membership in the state bar if the member: (a) has no discipline, fee dispute arbitration, or clients' security fund matters pending and (b) is current on all membership fee payments and other financial commitments relating to the member's practice of law in Nevada. Such resignation shall become effective when filed with the state bar, accepted by the board of governors, and approved by the supreme court.

Attorney Theodore Ross Cercos, Bar Number 5603 submits this application requesting resignation from membership in the State Bar of Nevada and relinquishes the right to practice law in this state.

Applicant verifies that, upon best information and belief, Applicant is current on all membership fee payments and other financial commitments relating to Applicant's practice of law in Nevada. (NOTE: The State Bar of Nevada retains the right of final review of Applicant's status in this regard prior to the matter being reviewed by the Board of Governors and, if applicable, referred to the Supreme Court of Nevada.)

//

1 In accordance with SCR 98(5) attached is an Affidavit of Compliance with Supreme Court
2 Rule 115 (Notice of Change in License Status). (Exhibit A)

3 Pursuant to SCR 98(5)(b), resignation under this rule is irrevocable. By signing below,
4 Applicant verifies and understands that:

5 1. Applicant may only return to the active practice of law by making application as a
6 new admittee, subject to the provisions of Supreme Court rules and applicable law, including the
7 requirements that Applicant:

8 (a) Demonstrates that Applicant is of good character and is willing and able to
9 abide by the high ethical standards required of attorneys and counselors at
10 law; and

11 (b) Takes and passes the Nevada State Bar Examination; AND

12 2. That as a member with no pending matter before the State Bar, Applicant is eligible
13 to transfer to/remain in "inactive" status pursuant to SCR 98(4) and knowingly elects instead to
14 file the instant application for resignation pursuant to § 5; AND

15 3. That in accordance with SCR 98(5)(c), "The state bar shall retain jurisdiction to
16 investigate and take action with respect to matters involving a past member's conduct prior to the
17 member resigning from the State Bar." AND

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1 4. That Applicant has read and understands the appendix attached hereto entitled
2 "Notice to Applicant of Manner of Approval."

3 Submitted this 28th day of December, 2021

4 Theodore Ross Cercos _____
5 Name
6 1531 County Road 245 _____
7 Address
8 Durango, CO 81301 _____
9 City/State/Zip

10 Theodore Ross Cercos
11 ATTORNEY

12
13
14 STATE OF Colorado)
15 COUNTY OF La Plata) SS:

16 SUBSCRIBED AND SWORN to
17 before me this 28th day of December, 2021.

18
19 Melissa Baca

20 NOTARY PUBLIC

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22 MELISSA BACA
23 NOTARY PUBLIC
24 STATE OF COLORADO
25 NOTARY ID 20214031609
 MY COMMISSION EXPIRES 08/09/2025

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**IN THE MATTER OF THE
RESIGNATION APPLICATION OF
THEODORE ROSS CERCOS
Bar Number: 5603**

STATE OF COLORADO)
) SS:
COUNTY OF LA PLATA)

THEODORE ROSS CERCOS, being duly sworn under oath, deposes and says:

1. That I am the attorney in the above entitled matter and am filing this Affidavit in accordance with Supreme Court Rule 115(4).
2. That when the Order granting petition for resignation is filed in this matter in accordance with Supreme Court Rule 115(7) it will become effective immediately.
3. That I will fully comply with the provisions of said Order granting petition for resignation and these rules.
4. That I do not have Nevada clients.
5. That I have been admitted in the past to the following state bars: California and Nevada and the following courts California State Court, Nevada District Court, and various Federal District Courts in California and Nevada.

4-

7. The address and telephone number of a contact person designated for client files is:
Randall D. Gustafson, Managing Partner, Lincoln, Gustafson & Cercos, 550 West
C Street, Suite 1400, San Diego, California, 92101, 619-233-1150.

Theodore Ross Cicco
ATTORNEY

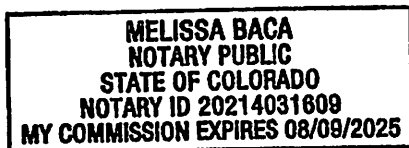
STATE OF COLORADO)
) SS:
COUNTY OF LA PLATA)

SUBSCRIBED AND SWORN to

before me this 28th day of December, 2021.

AlBach

NOTARY PUBLIC



1 **APPENDIX: NOTICE TO APPLICANT OF MANNER OF APPROVAL**

2

3 In accordance with SCR 98(5), the following three (3) exhibits will be attached to this

4 Application before being presented to the Board of Governors:

- 5 1. The approval of Bar Counsel, including confirmation that no discipline is pending
- 6 against Applicant (Exhibit B); and
- 7 2. Verification there are no pending fee dispute arbitration or clients' security fund
- 8 claims against the Applicant (Exhibit C), and
- 9 3. Verification that Applicant is current on all membership fee payments and other
- 10 financial commitments relating to the Applicant's practice of law in Nevada
- 11 (Exhibit D).

12

13 This application will be brought before the State Bar Board of Governors at its next

14 regularly-scheduled meeting.

15 Applicant will be notified of the Board's decision, in writing, at the Applicant's last-

16 reported address of record to the State Bar.

17 If the Board approves this application, State Bar Counsel will forward the matter to the

18 Supreme Court of Nevada for a final determination in accordance with SCR 98(5).

19 **NOTE: APPLICANT'S RESIGNATION SHALL NOT BE EFFECTIVE UNLESS**

20 **AND UNTIL THE SUPREME COURT OF NEVADA ENTERS AN ORDER APPROVING**

21 **THE RESIGNATION.**

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BEFORE THE
STATE BAR OF NEVADA BOARD OF GOVERNORS

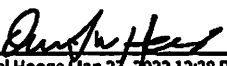
IN THE MATTER OF THE)
RESIGNATION APPLICATION OF)
THEODORE ROSS CERCOS)
Bar Number: 5603)

APPROVAL OF BAR COUNSEL

Having confirmed Applicant has no pending disciplinary matters and having reviewed applicant's SCR 98(5) Application for Resignation submitted herewith and being satisfied with it, Bar Counsel hereby recommends the Supreme Court of Nevada approve Applicant's resignation under the terms and conditions set forth in SCR 98(5).

DATED this 27 day of January, 2022

STATE BAR OF NEVADA

By: 
Daniel Hooe (Jan 27, 2022 12:28 PST)
DANIEL M. HOOGE
Bar Counsel
Nevada Bar No. 10620
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200

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BEFORE THE
STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE)
RESIGNATION APPLICATION OF)
THEODORE ROSS CERCOS)
Bar Number: 5603)

STATEMENT OF FEE DISPUTE/CLIENTS' SECURITY FUND MANAGER

The undersigned, in her official capacity as Manager for the State Bar Fee Dispute Arbitration and Clients' Security Fund programs, hereby confirms that there are no pending claims against the Applicant before either the Fee Dispute or Clients' Security Committees.

DATED this 27 day of January, 2022

STATE BAR OF NEVADA

By: Theresa Freeman
Theresa Freeman (Jan 27, 2022 13:02 PST)
THERESA FREEMAN
Client Protection Manager
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200

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BEFORE THE
STATE BAR OF NEVADA BOARD OF GOVERNORS

IN THE MATTER OF THE)
RESIGNATION APPLICATION OF)
THEODORE ROSS CERCOS)
Bar Number: 5603)
_____)

STATEMENT OF EXECUTIVE DIRECTOR

The undersigned, in her official capacity as Executive Director of the State Bar of Nevada,
hereby confirms that the above-named applicant is current on all membership fee payments and
other financial commitments relating to the applicant's practice of law in Nevada.

DATED this 8 day of February, 2022.

STATE BAR OF NEVADA

By: Kimberly Farmer
KIMBERLY K. FARMER
Executive Director
3100 W. Charleston Boulevard, Ste. 100
Las Vegas, Nevada 89102
(702) 382-2200

Exhibit D