

1 This Motion is made and based upon the attached Declaration of Romeo R.
2 Perez, Esq. of The Law Offices of Romeo R. Perez, P.C., The Memorandum of
3 Points and Authorities attached hereto, the pleadings and papers on file herein, and
4 upon the arguments of counsel, should the Court wish to hear the same.
5

6 Dated this 4th day of November 2022.
7

8 Respectfully Submitted:

9 The Law Offices of Romeo R. Perez, P.C.
10

11 By: /s/ *Romeo R. Perez* _____
12

13 Romeo R. Perez, Esq.
14 Nevada Bar No. 8223
15 1621 East Flamingo Road, Suite 15A
16 Las Vegas, Nevada 89119
17 Attorneys for Respondent

18 **POINTS AND AUTHORITIES**

19 The attorney for the Appellant herein is seeking leave of this Honorable
20 Court to withdraw as counsel for said Respondent, ZOILA LEON YANEZ. The
21 facts and circumstances, which gave rise to the filing of this action, are more fully
22 set forth in the Declaration of Romeo R. Perez, Esq., attached hereto and made
23 reference herein as though fully set forth.
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1
2 Nevada Supreme Court Rule 1.16 states in relevant part, as follows:

3 Rule 1.16 -Declining or terminating representation.

4
5 (a) Except as stated in subsection 3, a lawyer shall not represent a client or
6 where representation has commenced, shall withdraw from the representation of a
7 client if:

8 (1) The representation will result in violation of the rules of professional
9 conduct or other law;

10 (2) The lawyer's physical or mental condition materially impairs the lawyer's
11 ability to represent the client; or

12 (3) The lawyer is discharged.

13 (b) Except as stated in paragraph (c), a lawyer may withdraw from
14 representing a client if:

15 (1) Withdrawal can be accomplished without material adverse effect on the
16 interest of the client;

17 (2) The client persists in a course of action involving the lawyer's services
18 that the lawyer reasonably believes is criminal or fraudulent;

19 (3) The client has used the lawyer's services to perpetrate a crime or fraud;

20
21 ***(4) A client insists upon pursuing an objective that the lawyer***
22 ***considers repugnant or imprudent;***

23 (5) The client fails substantially to fulfill an obligation to the lawyer
24 regarding the lawyer's services and has been given reasonable warning that the
25 lawyer will withdraw unless the obligation is fulfilled;

26 (6) The representation will result in an unreasonable financial burden on the
27 lawyer or has been rendered unreasonably difficult by the client; or
28

1 *(7) Other good cause for withdrawal exists.*

2
3 (c) A lawyer must comply with applicable law requiring notice to or permission of
4 a tribunal when terminating representation. When ordered to do so by a tribunal, a
5 lawyer shall continue representation notwithstanding good cause for terminating
6 the representation.

7 (d) Upon termination of representation, a lawyer shall take steps to the extent
8 reasonably practicable to protect a client's interests, such as giving reasonable
9 notice to the client, allowing time for employment of other counsel, surrendering
10 papers and property to which the client is entitled and refunding any advance
11 payment of fee that has not been earned. The lawyer may retain papers relating to
12 the client to the extent permitted by other law.

13 Respondent has not retained counsel for the purpose of representation in the
14 instant Appeal, in fact, the Respondent was emailed on August 30th, letting
15 her know about the Appeal and providing her the names of 3 attorneys who
16 do practice before this Court. (See Attached in Spanish)

17 Then again on October 19th, this Counsel sent another email to Respondent
18 with the other documents along with the Notice of Withdrawal in the
19 Divorce case. (See Attached in Spanish). Counsel was not retained for the
20 Appeal and was never intended to represent Respondent in any other way.
21 Respondent may be reached at the following address, email address and
22 phone number:

23 Zoila Leon-Yanez
24 3401 N. Walnut Rd. #359
25 Las Vegas, Nevada 89115
26 702-969-2556
27 zoilaleonyanez1977@gmail.com

28 //

 //

1 Based upon the authority cited above, and the reasons more fully set forth in
2 the Declaration of Romeo R. Perez, Esq., movant respectfully request that this
3
4 Motion to Withdrawal as Counsel be Granted.

5
6 Dated this 4th day of November, 2022

7 Respectfully submitted:

8
9 The Law Offices of Romeo R. Perez, P.C.

10 By: /s/ *Romeo R. Perez* _____

11 Romeo R. Perez, Esq.

12 Nevada Bar No. 8223

13 1621 East Flamingo Road, Suite 15A

14 Las Vegas, Nevada 89119

15 Attorney for Respondent
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I, ROMEO R. PEREZ, declare that I am competent to testify to the facts contained in the proceeding filing.

- Zoila Leon-Yanez
3401 N. Walnut Rd. #359
Las Vegas, Nevada 89115
702-969-2556
zoilaleonyanez1977@gmail.com

Dated this 4th day of November, 2022.

MOTION TO WITHDRAW AS COUNSEL - 1

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[] by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or

[] Pursuant to EDCR 7.26, to be sent via facsimile; and/or

[X] Pursuant to EDCR 7.26 and NEFCR Rule 9.1, to be sent via e-mail and/or via Wiznet; and/or

[] to be hand-delivered;

to the attorneys/persons listed below at their last known address and/or facsimile number indicated below:

E-mail: zoilaleonyanez1977@gmail.com

Gayle Nathan, Esq.
Bonanza Legal Group
3591 E. Bonanza, 2nd Floor
Las Vegas, NV 89110

Email: attorney@bonanzalegal.com

/s/ Pearl Almazan
An employee of Romeo R. Perez, Esq.

Exhibit "A"



Romeo Perez <romeoperezesq@gmail.com>

Case

1 message

Romeo Perez <romeoperezesq@gmail.com>

Tue, Aug 30, 2022 at 1:31 PM

To: zoilaleonyanez1977 <zoilaleonyanez1977@gmail.com>

Cc: Pearl Almazan <pearl@romeoperezlaw.com>, Rhonda Perez <rhonda@romeoperezlaw.com>

Parece que presentó un Aviso de apelación. Él planea llevar esto a la Corte Suprema. Por favor vea el aviso adjunto. No me encargo de apelaciones, por lo que tendrá que buscar a otra persona para que se encargue del caso. Puede comenzar con Legal Aid Center of Southern Nevada 702-386-1070, ya que no recibe dinero de él. Llame y haga una cita. El tiempo es la esencia.

Otros abogados que recomiendo son:

Mills and Anderson-702-386-0030

Christopher Tilman-702-214-4214

Grigsby Law Group-702-202-5235

Con esto, voy a cerrar mi expediente. Infórmeme sobre el abogado que elija para que lo ayude con la apelación. Proporcionaré cualquier información que usted o ellos necesiten.

La mejor de las suertes,
Romeo

--

Romeo R. Perez, Esq.

The Law Offices of Romeo R. Perez, P.C.

1621 East Flamingo Boulevard, Suite 15A

Las Vegas, Nevada 89119

Tel: (702) 214-7244

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 **Notice of Appeal.pdf**
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Romeo Perez <romeoperezesq@gmail.com>

Re: Case

1 message

Romeo Perez <romeoperezesq@gmail.com>

Wed, Oct 19, 2022 at 1:33 PM

To: zoilaleonyanez1977 <zoilaleonyanez1977@gmail.com>

Cc: Pearl Almazan <pearl@romeoperezlaw.com>, Rhonda Perez <rhonda@romeoperezlaw.com>

Aquí está mi aviso de retiro en el caso de divorcio. No manejaré la apelación.
La mejor de las suertes.
Romeo

On Tue, Aug 30, 2022 at 1:31 PM Romeo Perez <romeoperezesq@gmail.com> wrote:

Parece que presentó un Aviso de apelación. Él planea llevar esto a la Corte Suprema. Por favor vea el aviso adjunto. No me encargo de apelaciones, por lo que tendrá que buscar a otra persona para que se encargue del caso. Puede comenzar con Legal Aid Center of Southern Nevada 702-386-1070, ya que no recibe dinero de él. Llame y haga una cita. El tiempo es la esencia.

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E-filed Rule 46 Notice of Withdrawal (30).pdf

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Re: Case

1 message

Romeo Perez <romeoperezesq@gmail.com>

Wed, Oct 19, 2022 at 1:31 PM

To: zoilaleonyanez1977 <zoilaleonyanez1977@gmail.com>

Cc: Pearl Almazan <pearl@romeoperezlaw.com>, Rhonda Perez <rhonda@romeoperezlaw.com>

Zoila,

Le proporcioné su aviso de apelación el 30 de agosto de 2022. También le dije que no manejo apelaciones, por lo que deberá contratar a un abogado de apelaciones. En el mismo correo electrónico proporcioné una lista de abogados de apelaciones que manejan apelaciones de derecho familiar. No manejaré su apelación.

Adjunto algunos documentos que he recibido en los últimos días. Asegúrese de contactar a un abogado de inmediato. Pensé que ya lo habías hecho cuando recibí tu mensaje hoy.

La mejor de las suertes. Déjame saber a quién contrataste para que pueda enviarles el archivo.

Romeo

On Tue, Aug 30, 2022 at 1:31 PM Romeo Perez <romeoperezesq@gmail.com> wrote:

Parece que presentó un Aviso de apelación. Él planea llevar esto a la Corte Suprema. Por favor vea el aviso adjunto. No me encargo de apelaciones, por lo que tendrá que buscar a otra persona para que se encargue del caso. Puede comenzar con Legal Aid Center of Southern Nevada 702-386-1070, ya que no recibe dinero de él. Llame y haga una cita. El tiempo es la esencia.

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La mejor de las suertes,

Romeo

--

Romeo R. Perez, Esq.

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