IN THE SUPREME COURT OF THE STATE OF NEVADA

KIRSTIN BLAISE LOBATO, Appellant, vs. THE STATE OF NEVADA, Respondent. No. 58913

FILED

JUN 07 2013

CLERK OF SURREME COURT
BY DEPUT CLERK

ORDER GRANTING MOTION TO ASSOCIATE COUNSEL AND DISAPPROVING SUBSTITUTION OF COUNSEL

Attorney Phung Jefferson has filed a motion to associate attorney J. Bediaku Afoh-Manin as counsel of record for appellant pursuant to SCR 42. Attached to the motion to associate counsel is a verified application, certificate indicating that Mr. Afoh-Manin is a member in good standing of the State Bar of New York, and a SCR 42 statement. The State Bar's SCR 42 statement indicates that Mr. Afoh-Manin has not previously applied to appear in Nevada courts. See SCR 42(6) (repeated appearances by any person or firm pursuant to Rule 42 shall be cause for denial of a motion to associate).

Cause appearing, the motion is granted. Mr. Afoh-Anin shall be permitted to appear on behalf of appellant in this appeal. Nevada attorney Phung Jefferson shall be responsible for all matters presented by Mr Afoh-Anin in this matter. See SCR 42(14) (providing that active Nevada bar member who is attorney of record shall be present at all matters in open court); NRAP 25(a)(5) (providing that all documents submitted to supreme court for filing by a represented party shall include

the original signature of at least one attorney of record who is an active member of the State Bar of Nevada).

The documents filed with the motion also include a substitution signed by appellant that purports to substitute Mr. Afoh-Manin in place of attorney Travis Barrick. The substitution does not comply with NRAP 46(d)(2). Although it is signed by appellant, it is not signed by the affected attorneys. We therefore disapprove the substitution without prejudice. NRAP 42(d)(d) ("The Supreme Court may disapprove a substitution that does not have the necessary signatures or affidavit.").

It is so ORDERED.

Pickering, C.J.

cc: Phung H. Jefferson
Gallian Welker & Beckstrom, LC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Kirstin Blaise Lobato
J. Bediaku Afoh-Manin
State Bar of Nevada