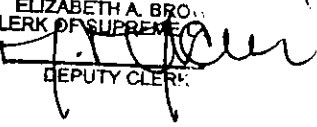# IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER KUHL,
Appellant,
vs.
LAS VEGAS JUSTICE COURT; AND
THE STATE OF NEVADA,
Respondents.

No. 88363

FILED

MAY 29 2025

ELIZABETH A. BRO...
CLERK OF SUPREME...
BY _____
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant's Emergency First Amendment Petition for a Writ of Mandamus Pursuant to NRS 34.185 or in the Alternative Prohibition. Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

Appellant Christopher Kuhl pleaded guilty to harassment and disorderly conduct. In exchange for Kuhl's plea, he received a one-year stayed adjudication on the conditions that he stay out of trouble and cease contact with the victim. Nevertheless, Kuhl continued posting about the victim on social media and a website he maintained, accusing her of animal abuse. The State filed a motion to remand Kuhl. While the justice court denied the motion, it cautioned Kuhl that "any future postings after today's date intended to rile up the animal abuse community or any future postings about her in any way, shape, or form that are derogatory . . . will be construed by this Court as a violation." Kuhl petitioned the district court to vacate the condition, arguing it violated his First Amendment rights. The district court denied the petition and this appeal followed.

This court reviews a district court's decision to grant or deny a writ petition for an abuse of discretion. *Reno Newspapers, Inc. v. Haley,* 126 Nev. 211, 214, 234 P.3d 922, 924 (2010). "[W]here, as here, the petition

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implicates questions of law," we review those de novo. *Las Vegas Rev.-J., Inc. v. Las Vegas Metro. Police Dep't,* 139 Nev. 69, 73, 526 P.3d 724, 731 (2023). Kuhl argues the justice court's condition is an impermissible prior restraint on his protected speech. We need not address whether Kuhl's speech is protected because conditions on a stay of adjudication may permissibly restrict a supervisee's First Amendment rights if the restriction is "narrowly tailored with a view to the goals of supervised release— 'deterring crime, protecting the public, [and] rehabilitating the defendant.'" *Aldape v. State,* 139 Nev., Adv. Op. 42, 535 P.3d 1184, 1191 (2023) (alteration in original) (quoting *United States v. Holena,* 906 F.3d 288, 295 (3d Cir. 2018)).
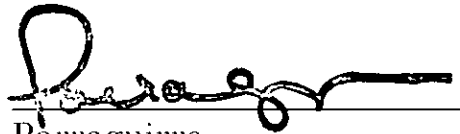
We conclude the condition here is narrowly tailored. The justice court restricted only posts derogatory to the victim or intended to incite anger or action from the animal rights community—in other words, only speech directly related to Kuhl's harassment of the victim. The condition is also time-limited to the length of Kuhl's stay of adjudication. That Kuhl's speech may otherwise be protected is of no consequence. *See United States v. Farooq,* 58 F.4th 687, 690 (2d Cir.) (preventing a journalist from publishing any information about a person he attempted to extort, except with permission of the court), *cert. denied,* ___ U.S. ___, 143 S. Ct. 2677 (2023); *United States v. Turner,* 44 F.3d 900, 903 (10th Cir. 1995) (preventing a probationer from picketing in front of family planning centers); *United States v. Nu-Triumph, Inc.,* 500 F.2d 594, 596 (9th Cir. 1974) (prohibiting a corporation from distributing constitutionally protected pornography).
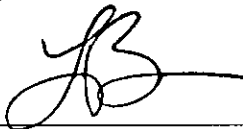
The restriction on posting also advances the goals of supervised release. It protects the public by reducing the chance a third party will
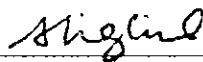
commit a crime based on Kuhl's posts. It also promotes Kuhl's rehabilitation by forcing him to disengage with the victim. Last, the restriction removes a mechanism by which Kuhl may recidivate.

Because the condition prohibiting future posts about the victim is permissible, whether or not Kuhl's speech is protected, the district court did not abuse its discretion in denying Kuhl's petition. Accordingly, we,

ORDER the judgment of the district court AFFIRMED.

_____, J.
Parraguirre

_____, J.
Bell

_____, J.
Stiglich

cc:　Hon. Susan Johnson, District Judge
　　　Goodman Law Group
　　　Attorney General/Carson City
　　　Clark County District Attorney
　　　Eighth Judicial District Court Clerk