



1 **RESP**

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11 [REDACTED]

12 **DISTRICT COURT, FAMILY DIVISION**
13 **CLARK COUNTY, NEVADA**

14 [REDACTED]

15 Plaintiff,

16 vs.

17 [REDACTED]

18 Defendant.

CASE NO. D-21 [REDACTED]-P

DEPT. NO: D

Date of Hearing: 9/25/25

Time of Hearing: 2:30 pm

19 **PLAINTIFF'S RESPONSE TO OUR NEVADA JUDGES' MOTION TO**
20 **UNSEAL CASE FILE, AND PLAINTIFF'S COUNTERMOTION TO**
21 **MODIFY AND AMEND CONDITIONS OF CHILD TESTIMONY TO**
22 **PROTECT ANONYMITY OF MINOR AND RELATED RELIEF**

23 COMES NOW Plaintiff, [REDACTED] ("Dad"), by and through his counsel,

24 JAMES J. JIMMERSON, ESQ., of THE JIMMERSON LAW FIRM, P.C., and hereby
25 submits this Response to Our Nevada Judges' *Motion to Unseal Case File*.

26 Dad and his counsel recognize that access to courts, which they generally
27 support, can be a thorny issue where important public policies—a public's right to access
28 and the best interests of a child—can clash. In this case, however, a saving grace lies in
the outstanding and unique skillset of the Honorable Robert Teuton, a seasoned jurist who
has toiled in Juvenile Court matters affecting minor children in difficult circumstances
for more than 25 years. Judge Teuton, here, will be able to draw upon his extensive
experience and expertise to balance the competing interests of the public's right to know,
and the need to protect this family and, especially, this [REDACTED]-year-old child.

1 Even the most zealous First Amendment advocate will recognize the need to
2 preserve a child's best interests and innocence to the extent possible, especially when
3 faced with exposing details in a case like this. It is one thing to champion a public's right
4 to know when the law supports it, but quite another to allow full access to a case where
5 it could destroy an innocent child's psychological well-being. This is a serious case, with
6 serious consequences for the child and his family, if the child is further harmed as a result
7 of judicial exuberance or political activism.

8 While the Nevada Supreme Court in *Falconi* held that NRS 125.080, EDCR
9 5.207 and EDCR 5.212 was unconstitutional, its holding does not apply to sealing off
10 paternity and custody cases under NRS 126.211 which are, under current law,
11 presumptively closed. The legislative scheme applying to paternity and custody cases
12 between unmarried parents falls under a different scheme as codified under NRS 126.
13 While this response considers the *potential* future impact of *Falconi* upon presumptively
14 sealed paternity cases under NRS 126, until the Nevada legislature or Nevada Supreme
15 Court rule otherwise, the law controls.

16 Of greater concern to Dad is not public policy on whether recent precedent
17 regarding hearing in divorce cases also applies to paternity cases, but the protection of a
18 [REDACTED]-old child, his father, and his family in the face of a custody trial with extremely
19 personal and sensitive information about that child. This innocent family's protection
20 must be considered and deferred to over general public policies and curiosity. A balance
21 of interests must be drawn, and this Court is particularly adept and skilled at attempting
22 to do so in a case like this.

23 With that in mind, Dad respectfully requests the following relief:
24

- 25 1. That, if this case is unsealed at all despite the presumptive closure under NRS
26 126.211, that Court balance the public's right to information with the minor
27 child's and Dad's rights to privacy, with only limited unsealing, including by
28 (1) limiting unsealing to permit only visibility of the case, but not allow
access or downloading of filed documents, (2) setting forth strict protocols to
redact (bleeping out) the names/identity and any information that could be
used to identify or locate the minor child or Dad during hearings, as set forth
herein, and (3) mandating appropriate redactions/continued sealing to protect

1 the anonymity of the minor child and Dad, including restricting access to the
2 courtroom on a hearing by hearing basis other than appropriately-redacted
recordings;

- 3 2. That the Court strongly err on the side of protecting the minor child by strictly
4 prohibiting *any* recording of the minor child, or disclosure of the child's
5 name, image, or identifying information, given the sensitive nature of the
6 issues in this case;
7
8 3. That this Court modify and amend the conditions of the minor child's
9 testimony, converting it to a private child interview in Chambers, with the
10 child's therapist present for emotional support, given the intense media
11 scrutiny; and
12
13 4. For such other and further relief as this Court deems just and proper.

14 This Response is made and based upon the papers and pleadings on file herein,
15 the memorandum of points and authorities attached hereto, the Declaration of [REDACTED]
16 [REDACTED] attached hereto and any argument to be adduced at the time of the hearing in
17 this matter.

18 DATED this 20th day of August, 2025.

19 Respectfully Submitted,

20 THE JIMMERSON LAW FIRM, P.C.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION.

While Dad and his counsel generally favor the public's right to access courts, absent compelling interest to maintain privacy and redaction, here, such compelling interests exist. In a case that is presumptively closed under NRS 126.211, this Court is faced with a decision that carries a far greater risk to the safety, privacy, and well-being of a minor child than the benefits of complete transparency. In balancing the interests, the Court finds any level of unsealing to be appropriate under the specific fact here, it should be limited to making the existence of (but not the documents within) the case visible, and limited coverage of hearings that do not expose the child or details about the child, Dad, or his family. The private and personal information about the minor child which already exists unredacted in the filed papers, pleadings, and even Orders in this case, and the need to protect this child and family from exposure and harm, mandate, under current circumstances, that the filings and all information about the minor child remain sealed and, if recording is allowed at all, strict protocols to protect the minor child, Dad, and innocent third parties. This Court's wisdom and experience can guide it in drawing appropriate lines in abuse cases involving children.

Dad takes this position reluctantly and, in many ways, against his own interests. While the majority of public comment has been to believe and support the child, the media exposure surrounding this matter has already revealed patterns of deception and manipulation by Defendant, [REDACTED] and her friends, who have peppered social media with false narratives of the child being "kidnapped," the child being "coached," a "custody battle" that did not exist, there being "no evidence" of the child's disclosures, and ridiculous claims that Dad made the whole thing up because his wife allegedly "cannot have children." These are allegations which have no basis in fact and which the unsealed family court and CPS case records would undoubtedly expose. However, this case is not about benefiting Dad. It is about protecting the child.

1 The child is an innocent [REDACTED] who has already suffered more than any child
2 should. The disclosures he made were not because of some custody dispute or parental
3 disagreement; they were of deeply harmful conduct no child should have to endure.
4 Every new layer of public access risks further identifying him, retraumatizing him, and
5 reducing his ability to live a normal life, free from public scrutiny or stigma.

6 Dad's sole objective is to ensure that this child does not suffer any more than he
7 already has. For as long as it takes—until he is old enough to protect himself — Dad will
8 continue to safeguard him from contact or circumstances that could place him in danger.
9 The physical, mental, and emotional safety of the child here is far more important than
10 the public's curiosity and interest in the salacious details about [REDACTED] or this
11 case, and whatever benefit may come from unsealing these files is outweighed entirely
12 by the harm it would cause minor child. His privacy, safety, and right to move forward
13 without a public label as a victim must take precedence over any other consideration.
14 Thus, while presumptively closed, any unsealing of this file, if granted, should remain
15 extremely limited, with proper safeguards to protect the child, Dad, and their family.

16 **II. STATEMENT OF FACTS.**

17 **A. Case Background.**

18 Contrary to what [REDACTED] friends have been spreading on social media, there
19 was not (and has never been) a “long custody battle” in this case. Dad's custody
20 Complaint was filed on February 4, 2021 after approximately eight months of
21 attempting to work with Mom to be an active and involved part of his son's life. During
22 the short litigation, consisting of a single Motion, Opposition, and Reply, [REDACTED]
23 pattern of dishonesty, her serial, repetitive, impulsive communications with Dad, and
24 her erratic false allegations, were quickly exposed.

25 Ironically, back then, [REDACTED] was accusing Dad of abuse and of “impulse control”
26 issues—while portraying herself as a perfect mother with an idyllic background. Her
27 allegations were impeached by her own communications and records—including her
28

1 extensive criminal history for theft, robbery with a deadly weapon, burglary, and
2 larceny, her Impulse Control Disorder diagnosis that explained her irrational behavior
3 and her compulsive lying.¹ As one example, Mom's March 1, 2021 Opposition alleged
4 that Dad's elderly mother made hysterical "scenes" during child exchanges on February
5 5 and 7, 2021, crying and screaming the child's name, grabbing the child and pulling
6 him into the house as the child screamed. But, as detailed in Dad's Reply filed March
7 29, 2021, [REDACTED] had no idea that Dad had Ring Cameras on the exterior of his home
8 which captured the entire exchange on both days. [REDACTED] sworn statements about
9 what occurred with [the child]'s Grandmother were not merely embellished or
10 exaggerated—they were a **complete fabrication**. They were one of many.

11 After her lies were exposed, the parties stipulated to joint legal and physical
12 custody in June 2021. The entire case only lasted three months.

13 **B. Dad Did Not Return to Court, Despite [REDACTED] Erratic Behavior**
14 **Throughout The Years Following Case Closure.**

15 [REDACTED] and her friends have spread misinformation about the period after the case
16 closed in 2021 and before the child's disclosures. [REDACTED] friends have been claiming
17 online that Dad was disinterested in the child for "seven years" until his wife allegedly
18 could not have children. Others have suggested that Dad made up the child's disclosure
19 and coached the child because the family was in the middle of a nasty custody battle—
20 claims which [REDACTED] perpetuated. Both claims are false.

21 The truth is that from 2021 to early 2024, multiple incidents occurred where
22 [REDACTED] engaged in erratic or unstable conduct, made false allegations, violated existing
23 court orders, and involved the minor child in adult disputes. When [REDACTED] was in the
24 throes of her Impulse Control Disorder, she would have extreme and irrational reactions
25 to any perceived slight. This pattern continued for the entire three-year period after the

26 ¹ The public records confirmed psychiatric evaluation by Dr. Norton Roitman diagnosed her with
27 [REDACTED] and noted a high likelihood of relapse without sustained treatment, as well
28 as a history of self-harm, eating disorders, and impulsive, illegal conduct that was likely to reoccur.
Upon information and belief, compulsive masturbation is one noted symptom of the disorder.

1 parties resolved their custody case. Yet, there was no “custody battle” initiated by Dad,
2 who did his best to navigate [REDACTED] unstable and erratic episodes.

3 Take, for example, the barrage of text messages and false allegations [REDACTED]
4 unleashed on Dad and his wife with *on their wedding day* because two Facetimes with
5 the child were not enough, the battles she got into with members of her Mom’s group
6 which led to threats against her so severe that she kept the child home from school for
7 several days (lying to Dad and claiming the child was sick), the times [REDACTED] unleashed
8 on the child when he dared to express love for Dad or his Bonus Mom (eventually
9 leading to Dad and the child making up a hand signal to say “I love you”), or when she
10 jerked the child backwards of out Dad’s arms causing the child to fall down during a
11 child exchange, and then began erratically screaming that Dad was “hurting” him
12 because Dad advised that his wife may assist with transportation for child exchanges.
13 These reactions—which the child has since described as Mom having a “parasite in her
14 brain”—were far more extreme than the minor dispute the parents had in March, 2024
15 about how Easter Weekend should be allocated.²

16 Despite [REDACTED] instability, Dad consistently facilitated her parenting time and
17 encouraged her relationship with [the child]. It was not until March 24, 2024, when the
18 child made the serious disclosures of sexual and other abuse by [REDACTED] that Dad had
19 no choice but to take immediate action.

20 **C. The Child’s March 2024 Disclosure and Initial Protective Measures.**

21 Not only was there no custody battle in March, 2024, but Mom had the child in
22 her custody for an extended period of time for Spring Break and her own custodial time,
23 from March 4, 2024 through March 22, 2024. On Sunday, March 24, 2024, the child
24 disclosed the sexual abuse by [REDACTED] to Dad and his wife, and to some degree to the
25 Henderson Police—who had been called by [REDACTED] for a welfare check.

26
27
28 ² In fact, the Easter Weekend issue was quickly resolved by agreement the Friday prior. Typical of
[REDACTED] however, she quickly changed her mind and caused conflict, devolving into a barrage of text
messages and Facetime calls, and irrational accusations, when Dad did not immediately respond.

1 Later that evening, the child disclosed the details of what became clear was sexual
2 abuse—that he was forced to [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 week *since he was seven*. The child had no idea that what he disclosed was sexual
7 abuse. He just knew it felt wrong, and he was terrified about what his Mom would do
8 now that he had told.

9 Law enforcement contacted Child Protective Services (“CPS”) the next day, the
10 child was forensically interviewed the day after that by a sex crimes detective, and (to
11 ensure that he was not violating a Court Order), Dad contacted his counsel to have an
12 Emergency Motion filed. Until that point, there was no live custody dispute.

13 On March 25, 2024, Dad’s counsel filed a Motion to temporarily modify custody
14 based upon the minor child’s disclosures that his mother, [REDACTED] had regularly

15 [REDACTED]

16 of him, grabb ing his hands and making him punch her, locking him in his room,
17 erratically yelling at him, and throwing up regularly at night.

18 Dad told Mom that the child made disclosures, and that he was not returning the
19 child, and he kept the child home from school after Mom and her friends posted online
20 that Mom could just go to the school and take him. From that point forward, Dad
21 personally escorted the child to the school gate each day. Within days, the Family Court
22 reopened the long-closed case and granted temporary custody to Dad with no contact
23 with [REDACTED] until the hearing.

24 **D. [REDACTED] Public Allegations of “Kidnapping.”**

25 Despite these facts, [REDACTED] created an online post, shared by multiple friends and
26 on her Las Vegas Super Moms group, alleging that the child was “kidnapped” and
27 asking people to contact her if they “saw” him. She mentioned nothing about the child’s
28

1 disclosures, the emergency motion that Dad had filed, or the emergency Order granted
2 by the Court pending the hearing. Nor did she disclose her arrest or the criminal case
3 that was opened shortly thereafter. Her online posts alleged that the child was unsafe in
4 Dad's care—even though CPS was involved and closely monitoring and regularly
5 visiting the child in Dad's home.

6 **E. Court-Ordered Communication and Resulting Harm.**

7 [REDACTED] filed an Opposition to Dad's Motion, alleging that it was Dad who made
8 the allegation and that the child had not made a disclosure at all! *Opposition filed April*
9 *1, 2024*, p. 6. She claimed that "the incident Plaintiff was referring to was simply
10 [REDACTED] and [the child] dancing and being silly together." She claimed the disclosure
11 was "completely fabricated" or "planted"—even though the child disclosed to Dad,
12 Stepmom, police officers, CPS, a forensic sex crimes detective, his therapist, the DA
13 and his own attorney in the "J" case, and (later) a Grand Jury.

14 After the Court's emergency temporary custody order, but before the Department
15 of Family Services filed its own case, Dad was directed to facilitate recorded video calls
16 via Our Family Wizard between [REDACTED] and the minor child, as well as supervised
17 visitation at Donna's House. The child experienced significant emotional distress
18 before and after these calls, including hiding, crying, and remaining inconsolable for
19 extended periods. The Court was clear that [REDACTED] could not discuss Dad, the case, or
20 the minor child's disclosures. Yet, within the first week, [REDACTED] violated the Order by
21 interrogating the child about his disclosures during a call—manipulating him and
22 attempting to make him recant by repeatedly telling the child she was in trouble and
23 going to jail. Even as the child sobbed hysterically, begged her to stop asking these
24 questions, and said he was not lying, [REDACTED] continued to witness-tamper and pressure
25 the child, to gather evidence to save herself.

26 With her flagrant violation of the Court's Orders on April 8, 2024—and evidence
27 of her consciousness of guilt—an emergency motion was filed to suspend contact,
28

1 which was granted. The Department of Family Services commenced its “J” case almost
2 immediately afterwards and maintained the no-contact Order. The court in the criminal
3 case issued its own, separate No Contact Order, which has been maintained to this day.

4 **F. [REDACTED] Attempts to Circumvent Protective Measures and Violations of**
5 **Court Orders.**

6 Throughout this time, [REDACTED] refused to accept and abide by the Court’s Orders
7 and consistently sought to circumvent them. Shortly after the child’s disclosure, for
8 example, [REDACTED] went to the child’s school in an attempt to see and potentially take
9 him, despite the emergency motion that had been filed. She later used a third-party
10 parent whose child attended the same school as the child, to contact the child through
11 his classmate’s smartwatch on the playground. After the No Contact Order, [REDACTED]
12 enlisted the wife of one of the child’s baseball coaches to send the child a message from
13 her during practices. The child was so scared he left the practice hysterical. That same
14 woman had been sharing and repeating [REDACTED] “kidnapping” narrative, despite the
15 child’s continued participation in team activities in her presence.

16 After the Department of Family Services opened its own case and a criminal case
17 was filed, [REDACTED] and a friend created and circulated a GoFundMe page titled “Support
18 [REDACTED] in Her Fight for [the Child’s] Safety,” sharing it using a #JusticeFor[the child]
19 hashtag all over social media. Despite having the right to have appointed counsel,
20 [REDACTED] was soliciting funds for herself, while publicly identifying the child and
21 misrepresenting the facts. Posts from her Las Vegas Super Moms group—where she is
22 an administrator—repeated and amplified these claims, increasing public hostility
23 toward Dad and risking the child’s safety by publicizing identifying information about
24 Dad and the child. Dad feared it was only a matter of time before the public would
25 become aware of the criminal case. Contrary to Mom’s recent claim during her
26 deposition, Dad did not “leak” the information on social media.

27 On the contrary, Dad and the child’s appointed attorney in the Department of
28 Family Services (“J”) case later spent months trying to have [REDACTED] remove these posts

1 and public photos of the child —recognizing that with [REDACTED] heading a Facebook
2 group with almost 30,000 members, it was highly likely that the criminal case would
3 garner unwanted attention. Dad was also concerned that the social media presence that
4 [REDACTED] maintained around a narrative that the child was “unsafe” or “kidnapped” or in
5 need of “justice” would cause others to confront or take the child, or to harm the child,
6 Dad, or his wife. Despite multiple Court Orders requiring [REDACTED] to remove her
7 “kidnapping” allegations, posts claiming the child was “unsafe” or “in need of justice,”
8 and posts that would allow his identity to be known, [REDACTED] never fully complied.

9 [REDACTED] has privately spread misinformation as much as she has publicly. For
10 example, [REDACTED] boasted to third parties that she took a polygraph test to prove her
11 “innocence.” She did not tell these third parties that she took *four* polygraph tests over
12 *three* consecutive days and was unable to pass a single time.³ Her friends also privately
13 messaged people spreading false narratives about Dad, the parties’ history, and the
14 child. Perhaps [REDACTED] friends who made comments like the child should be snatched,
15 or “that man will pay” might allow Dad to care for the child in peace if they were given
16 all the facts. However, again, this is not about Dad. It is about the child.

17 [REDACTED] also snubbed her nose at Court Orders regarding financial relief. Despite
18 having solely supported the child for almost a year and a half, Dad did not seek child
19 support from [REDACTED] until very recently. The Court issued an Order, but [REDACTED]
20 refuses to pay child support to Dad and has not paid a single dollar. This is despite the
21 fact that Dad incurred substantial legal expenses in protecting the child and *even paid*
22 *child support to [REDACTED] for eight months while the child was in his sole custody.*

23 Those actions, along with [REDACTED] interrogation of the child in violation of the
24 communication order and her refusal to take down information about the child and her
25 allegations on social media, reflect a pattern of violations and disregard for authority.
26

27
28 ³ While polygraph results are not admissible for the truth of the examined matter, the fact that [REDACTED] attempted the test four times over three days and was unable to pass on any occasion is consistent with her documented pattern of deception and manipulation.

1 Dad could easily have shared those facts with the public. He did not, because his interest
2 is in protecting the child.

3 **G. The Sensitive Details in the Sealed “D” and “J” Cases Require Protection.**

4 Because of the many issues surrounding [REDACTED] attempts to circumvent the
5 Court Orders and refusal to abide by them, there were many motions filed in the CPS
6 “J” case that included videos of the child and sensitive details about the child’s
7 disclosures. They encompassed other mental and emotional abuse of the child that the
8 public is not aware of through the Grand Jury testimony—and personal details about
9 the child such as where he goes to school and what activities he is involved in.

10 On November 27, 2024, [REDACTED] stipulated on the record in the “J” case and pled
11 guilty to an Amended Petition, including specific admissions that:

12 6. **ABUSE:** [REDACTED] caused [THE CHILD]...to be placed into circumstances
13 where the child’s health or welfare is harmed or threatened with harm...

14 6.1 **SEXUAL ABUSE AND/OR RISK OF HARM:** [REDACTED] poses a risk of
15 sexual and/or emotional harm to [THE CHILD]. [REDACTED] is charged with
16 Lewdness with a Child Under Age Fourteen against [THE CHILD] in case 24-
CR-064624...

17 On December 12, 2024, a Disposition Report was filed in the “J” case with
18 recommendations to place the child in the sole custody of Dad, and for [REDACTED] to have
19 no contact with the child, and supervised visitation after completion of the Conditions in
20 the Disposition Report and a Case Plan, including a Sex Offense Specific Evaluation
21 with a specific provider, following all recommendations of the assessment, an evaluation
22 for cognitive behavioral therapy with a specific provider, engaging in targeted therapy
23 specific to her offense and following all recommendations, and eventually participating
24 in family therapy with the child only when both her therapist and the child’s therapist
25 agree that it is clinically appropriate and would not be psychologically harmful to the
26 child. [REDACTED] genuine remorse and acknowledgment of her actions was also a
27 condition of reunification. *Id.*

1 On January 29, 2025, an Order was filed in the “J” case, awarding Dad joint legal
2 custody and sole physical custody of the child , and finding [REDACTED] to be “unfit at this
3 time because she has not demonstrated the behavior changes outlined in her case plan.”

4 *See Order Closing Case After Reunification, 2:21-24.* The Court further Ordered:

5 [REDACTED] shall have no contact with [THE CHILD] until a recommendation
6 by both [REDACTED] and [THE CHILD’S] respective therapists that contact is
7 appropriate. Failure to complete the case plan and/or demonstrate behavior
changes may be considered by a custody court.”

8 *Id. at 2:24-27.*

9 The Court also Ordered counsel for Dad and [REDACTED] to meet and confer regarding
10 child support, and to determine whether any justiciable issues remain relative to the
11 domestic case. The meet and confer was held on January 2, 2025, where [REDACTED] refused
12 to stipulate to any sum of child support, and asserted that there were justiciable issues
13 as she believed the change in custody in this case was technically a “temporary” order.
14 That is the reason that a custody trial presently pends in the custody case.

15 While the CPS case was closed subject to reunification after [REDACTED] pled guilty
16 to the Amended Petition in December 2024, separate efforts are being made by Our
17 Nevada Judges to make that case, and [REDACTED] court-mandated case plan, public
18 record. While the Disposition Report issued after CPS investigation would correct
19 much of the misinformation being spread about Dad and the child, with its detailed
20 Findings about [REDACTED] abuse and erratic behavior, it also reveals sensitive
21 information about the child including the name of his therapist, school, medical
22 providers, and activities, which could expose the child to harm and make him easily
23 identifiable. Relevant here, the details discussed within that case will necessarily be a
24 part of the custody case, which is required to go to Trial to obtain final Orders that serve
25 the child’s best interests. Those details need to be protected.

26 ///

1 **III. LEGAL ARGUMENT**

2 **A. As Paternity Cases are Presumptively Closed, With the Burden on Movant to**
3 **Show Good Cause to Unseal in Exceptional Cases, Unsealing, if Granted, Should**
4 **Be Extremely Limited.**

5 While paternity cases are presumptively sealed, if any unsealing is granted, it
6 would be extremely limited unsealing as discussed below, with the minor child's safety,
7 emotional needs, and best interests paramount in any consideration. Our Nevada Judges
8 ("ONJ") request to unseal this case appears on its face to be extremely limited—its
9 primary interest being in "deploying high-definition cameras" at hearings and a desire
10 to "see" the existence of a case to identify hearing dates and times. However, its request
11 to render NRS 126.211 unconstitutional suggests a potentially much wider unsealing
12 and offers no provisions for protection of the minor child's privacy and safety interests.

13 **1. Paternity Cases Are Presumptively Closed and the Burden to Show "Good**
14 **Cause" is Upon the Requestor.**

15 ONJ's Motion also incorrectly states that it has a "presumptive right of access"
16 to paternity/custody cases, which is contrary to law. As a paternity and custody case,
17 NRS 126.211 governs. That statute—which had *not* been held to be unconstitutional—
18 states:

19 NRS 126.211 Hearings and records: Confidentiality. Any hearing or trial
20 held under this chapter **must be held in closed court without admittance of any**
21 **person other than those necessary to the action or proceeding.** All papers and
22 records, other than the final judgment, pertaining to the action or proceeding, whether
23 part of the permanent record of the court or of a file in the Division of Welfare and
24 Supportive Services of the Department of Health and Human Services or elsewhere,
25 are subject to inspection **only upon consent of the court and all interested persons,**
26 or **in exceptional cases** only upon an order of the court **for good cause shown.**

27 NRS 126.211 (emphasis added).

28 In other words, paternity and custody cases are presumptively closed, both in
terms of access to filed documents "other than the final judgment" and access to
hearings. *Id.* While the Supreme Court in *Falconi v. Eighth Jud. Dist. Ct. in & for Cnty.*
of Clark, 140 Nev. Adv. Op. 8, 543 P.3d 92, 97 (2024) that NRS 125.080, EDCR 5.207
and EDCR 5.212 were unconstitutional because court hearings are presumptively open

1 and the statutes did not permit the trial court to exercise its discretion to decide whether
2 closure was warranted, no such finding was made to as NRS 126.211. In fact, in
3 Footnote 6 of the *Falconi* decision, the Court explicitly stated that, “Because no party
4 asked us to consider the constitutionality of NRS 126.211, we do not do so here.” *Id.* at
5 96.

6 The legislative history of NRS 126.211 differentiates it from other civil or even
7 family cases.⁴ It was based upon the Uniform Parentage Act which contains nearly
8 identical language, the “comment” to which states that, “In view of the sensitive nature
9 of paternity proceedings, the Committee considered it essential that such proceedings
10 be kept in confidence.” § 20. [Hearings and Records; Confidentiality]., *Unif. Act on*
11 *Parentage* 1973 § 20. Federal law also requires the state paternity statutes to protect
12 privacy in these cases. *See NRS 425.405(1)(a)*, noting that Nevada's federal funding
13 under Title IV of the Social Security Act (42 U.S.C. §§ 601 et seq.), requires the state
14 to “protect the privacy of persons involved in any action or proceeding for the
15 establishment of paternity or the establishment or enforcement of an obligation for the
16 support of a child.” *Id.*

17 While ONJ cites to the “good cause” language in NRS 126.211 which allow
18 unsealing upon Court Order, it fails to note that the Court may only do so “in
19 exceptional cases.” NRS 126.211. ONJ does not explain why this is an “exceptional
20 case,” and its only “good cause” argument is that “The extensive sealing of this case
21 renders ONJ unable to monitor the case as even the dates and times of hearings are
22 rendered invisible.” *Mot.* at 5:20-21.

23 While Dad does not oppose unsealing only to the extent it renders dates and times
24 of hearings visible, the Court should not go further to allow access to documents or
25 unfettered public access to all hearings. No access to the child or information about the
26 child should be granted. If access to any hearings is granted, strict protocols should be
27

28 ⁴ Our rules also distinguish between divorce cases and paternity/custody cases, in limiting the disclosures required and portions of the FDF to be completed. *C.f.*, *NRCP 16.2*, *NRCP 16.205*.

1 in place as detailed further below, to protect the child and to protect Dad and his family.
2 This includes redacting and bleeping out their names and blurring Dad's name and
3 image,⁵ as is typically done by ONJ, but must go beyond those protections given the
4 sensitive nature of the issues, the tender age of the child, and the trauma the child has
5 already suffered.

6 The public's interest in the salacious details surrounding [REDACTED] does not
7 constitute "good cause" to unseal the entire case and expose the child to public scrutiny.
8 Dad and his family should also be protected. While Dad (and the child's former counsel)
9 have worked tirelessly (and at significant cost to Dad) to remove the child's public
10 presence and exposure, [REDACTED] has repeatedly made allegations online through her
11 "kidnapping" post, her GoFundMe and "justice" campaigns, and through photos and
12 online pleas to "save" her baby after CPS and Courts issued no contact orders she failed
13 to disclose. The media has already identified the victim in [REDACTED] criminal case as
14 her child, as a result of [REDACTED] recent formal statement about the case on her nearly
15 30,000-large Las Vegas Super Mom's group, and she has prevented anyone who has a
16 contrary view supportive of the child from responding. While she has opened herself
17 up to public scrutiny, Dad and the child have not.

18 Unsealing the case only to allow hearing dates and times to be viewed *without*
19 allowing documents to be downloaded would assist in correcting misinformation about
20 Dad and the child being spread by [REDACTED] friends on other social media groups and on
21 Reddit, such as claims that there was a "custody battle" at the time the child made his
22 disclosures. But allowing documents to be accessed which reveal things like Dad's name
23 and employment, the child's full name, the child's medical providers, where the child
24 goes to school, and the like, would be severely detrimental to the child. Allowing NRS
25 126.211 to be ignored and unsealing the case would allow any curious third party
26

27 _____
28 ⁵ While Dad has taken care not to use the child's name in this filing, his name in the caption and
anywhere else in this document must be redacted if any part of this Response becomes available to the
public.

1 interested in nothing more than salacious details or drama to download and read motions,
2 pleadings, orders, and obtain information through which they could identify, contact,
3 locate, harass or harm the child or Dad.

4 As no good cause or exceptional case exists, the request to unseal the entire case,
5 to the extent that request is being made, should be denied.

6 **2. Even if There Were a Presumption of Openness, Which There is Not, The**
7 **Child's Compelling Interests Require That Sealing Be Largely Maintained.**

8 ONJ argues that the language in NRS 126.211 allowing this Court to unseal in
9 "extraordinary cases" for "good cause," "provides the necessary discretion for this Court
10 to apply the *Falconi* case's strict scrutiny analysis." While NRS 126.211 carries a
11 presumption of closure—not openness—the facts here compel protection of the minor
12 child over the general public's complete access to information.

13 Under *Falconi*, the presumption of a First Amendment right of access (which,
14 again, does not exist here under current law) can be overcome when the closure is
15 necessary to preserve a compelling interest and is narrowly tailored to serve that interest.
16 *Falconi*, 543 P.3d at 92. To overcome the presumption of a First Amendment right of
17 access to court proceedings, one must show three things: (1) closure serves a compelling
18 interest; (2) there is a substantial probability that, in the absence of closure, this
19 compelling interest could be harmed; and (3) there are no alternatives to closure that
20 would adequately protect the compelling interest. *Id.*

21 Here, closure serves a compelling interest of the child's privacy and safety,
22 because of the age of the child and the nature of the issues that are present before the
23 Court. The child is an innocent [REDACTED] who has already suffered more than any child
24 should. [REDACTED] and her friends have already put into the public sphere allegations that
25 the child is lying, or that Dad coached him—both of which are false allegations. Yet,
26 those who believe them have made threats to harm Dad or snatch the child, just based on
27 what [REDACTED] previously publicized and refused to take down for months. Every new
28

1 layer of public access risks further identifying him, retraumatizing him, and reducing his
2 ability to live a normal life, free from public scrutiny or stigma.

3 Given the intense scrutiny by the local, national, and international media, and on
4 social media, there is a substantial probability that, in the absence of closure, the child's
5 compelling interest of privacy and safety, as well as the safety of Dad and his family,
6 could be harmed. The Court has already made Orders to this effect in Case No. J-24-
7 XXXX-S1, requiring XXXXXXXXX to remove posts on social media that identified and
8 exposed the child:

9 IT IS HEREBY ORDERED that Natural Mother is prohibited from
10 encouraging, enticing, soliciting or assisting any other person from posting new
11 information concerning [the child] or this case, including photographs of [the
12 child], in/with which it is alleged that he is kidnapped, unsafe, in need of assistance
13 or in need of justice. Tr. 19:18-19:37

14 IT IS FURTHER ORDERED that the Natural Mother, is prohibited from
15 encouraging, enticing, soliciting or assisting others to delete any emails that are
16 pertaining to the Justice4[the child]@gmail.com account, including the person
17 that created the account. Natural Father's request for an order that all such emails
18 be preserved is granted. Tr. 32:07-32:09; 33:03-33:04; 38:48-39:15

19 IT IS FURTHER ORDERED that the Natural Mother is to remove all
20 public pictures and videos in which minor child can be identified from domains to
21 which she has access to and over which she can exercise control, including,
22 specifically, the Las Vegas Super Moms Group, until conclusion of the case. Tr.
23 19:38-19:50

24 IT IS FURTHER ORDERED that the Natural Mother is to remove all social
25 media posts, including the GoFundMe account, that reference minor child being
26 kidnapped, being unsafe, in need of assistance or in need of justice. Tr. 22:05-
27 22:20; 22:55- 23:12; 30:39-30:52. The Court is concerned about the safety of the
28 minor child and potentially adverse actions against the Natural Father.

IT IS FURTHER ORDERED that the Natural Mother is to designate all
photos and videos of minor child on her personal Facebook account to the setting
of private, until conclusion of the case. Tr. 29:41-29:43.

Order From September 16, 2024 Hearing, filed November 15, 2024.

There are no alternatives to closure that would adequately protect the minor
child's or Dad's compelling interests, other than the limited unsealing to allow the public
to "see" the existence of a case to identify hearing dates and times (but not to access or

download any documents), and if permitted at all, strict protocols on hearing coverage that protect the child and all information about the child, Dad, and their family.

3. The Provisions Enacted Under SB 432 Further Support Maintaining Sealing, Or Allowing Only Limited Unsealing, in This Case.

The legislature recently allowed the Court discretion to limit public access to certain information through SB 432, which will set forth a new procedure for Courts to determine whether closure is necessary to serve a “compelling interest.” While this bill repealed NRS 125.080 and 125.110, it made no adjustments to NRS 126.211, which remains the law. To the extent the Court would consider the effect of that bill, the best interests of the child support Dad’s requested relief.

Through SB 432, the Legislature set out a non-exhaustive list of factors to determine whether there is a “compelling interest” that would necessitate closure of a case, including:

- a. The best interest of any child.
- b. Whether permitting observation or recording of the hearing creates a “substantial risk” of violating any federal or state law, regulation, or court rule relating to disclosure of personal identifying information that cannot be mitigated by sealing court records, including without limitation:
 - (1) Health information defined by 45 C.F.R. § 160.103.
 - (2) Educational record under 20 U.S.C. § 1232g and its regulations.
- c. Whether absent closure there is a substantial risk that:
 - (1) A party or child may suffer harassment, indignity, undue embarrassment, or other physical or emotional harm.
 - (2) The fundamental right of privacy of any person will be violated.

Here, the best interest of the child is a compelling and substantial basis to maintain the sealing, and limit the unsealing, of this case. This case involves sensitive personal information including details of the sexual and other abuse of the child. The child’s personal medical information and education information are likely to be exposed, as well as financial information of Dad as child support issues are addressed. More

1 importantly, given the abuse the child has endured and the personal information about
2 the child within the papers, pleadings, and Orders already on file, the child would be
3 open to public stigma, shame, harassment, indignity, undue embarrassment, and
4 emotional harm, and his fundamental right to privacy will be invaded through no fault
5 of his own. The same is true for Dad, who has done nothing more than attempt to protect
6 this child and maintain the confidentiality of this matter. There is also, *as the Court*
7 *already found*, a substantial risk that the child or Dad or his family could be harmed.

8 After considering factors as to whether closure is necessary to serve a compelling
9 interest, a court is to make written findings:

- 10 a. Whether a substantial probability that, absent closure, the compelling interest
11 will be harmed.
12 b. Whether there are alternatives to closure that would adequately protect the
13 compelling interest.
14 c. Whether the closure is narrowly tailored to protect the compelling interest.

15 As outlined above, there is a substantial probability that if this case is unsealed,
16 the compelling interests of the child and Dad will be harmed. If any unsealing is allowed
17 under the facts here, the Court in the alternative can permit a very limited unsealing to
18 balance the public's right to information with the minor child's and Dad's rights to
19 privacy and safety, by limiting unsealing to permitting only visibility of hearing dates,
20 without the public's ability to read filed documents. Any videos must include redacting
21 names/identity of parties during hearings except when futile, blurring faces and bleeping
22 names and identifying information, and mandating appropriate restrictions to protect the
23 anonymity of the minor child, Dad and his family as discussed below. Absent these strict
24 limitations, the child and Dad's compelling interests cannot be adequately protected.

25 **B. Specific Orders Should Be Entered and Guidelines Enforced to Protect the**
26 **Anonymity of The Minor Child.**

27 ONJ has provided guidelines for coverage which provide for redaction of names
28 and blurring of images except (as in the case of [REDACTED]) where futile—but those
provisions do not go far enough when a minor child is involved, and where the case is

1 about sexual or other abuse that the child has endured. In that regard, Judge Teuton is in
2 a unique position with his extensive experience in Juvenile cases where, often, the
3 children before him are vulnerable and traumatized. While Dad and his counsel take
4 seriously First Amendment rights, their interest, like this Court's, is primarily in
5 protecting the safety and privacy of the minor child, and shielding the child from further
6 trauma and mental and emotional harm.

7 The hearings and Trial in this case are expected to discuss in detail the abuse that
8 the child suffered, private information sufficient to identify and locate the child such as
9 where he goes to school or where he gets medical care, information sufficient to identify
10 and locate Dad, his wife, or his family, sensitive financial information, and private health
11 information. For those reasons, the Court should strongly err on the side of protecting
12 the minor child by strictly enforcing the following provisions and protocols if access to
13 hearings is permitted at all:

- 14 1. The unsealing of the case shall be limited to allowing visibility of the case
15 sufficient to identify filings and hearing dates, but not to allow filings to be
16 downloaded or accessed, as all prior filings in this case disclose the name and
17 identifying information of the minor child and Dad;
- 18 2. In an abundance of caution, no future filings shall refer to the child by name
19 and any and all information which could be used to identify or locate the child
20 or Dad shall be redacted by the parties;
- 21 3. Any and all testimony, argument, records, or information which provides
22 disclosure of the child's, Dad's, or his family's name, image, or identifying
23 information shall be redacted (whether in writing or at hearing), including the
24 bleeping and/or redaction of names, blurring of images, and protection of
25 confidential or identifying information;
- 26 4. Any and all testimony, argument, records, or information which could be used
27 to identify or locate the minor child, Dad, or third parties shall be redacted,
28 including, but not limited to, information regarding the child's schooling,
information regarding the child's medical providers or extra-curricular
activities, information regarding Dad's employment or affiliations, or the
child, Dad, Dad's wife or family members or friends' names or images.
Counsel shall be provided the opportunity to review proposed redactions prior
to publication of any videos;
5. Absolutely no recording may be made of the minor child, images of the minor
child, or the minor child's testimony, given the sensitive nature of the issues
in this case;

6. All CPS records, child interview records, and other records which require confidentiality under EDCR 5.405 shall remain confidential and sealed;
7. All records, testimony and/or argument regarding financial information of either party, including Financial Disclosure Forms, shall remain confidential and sealed; and
8. Because of the sensitivity and private details likely to be shared during hearings and Trial in this matter, the Courtroom shall remain locked to the general public's in person or virtual access, with requests to open to the public considered on a hearing-by-hearing basis. The public will only have access through ONJ's coverage subject to the redactions outlined herein;

While some of these provisions may require more careful editing by ONJ on any hearings it wishes to cover, they are necessary to protect the compelling privacy and safety interests of the minor child and Dad in this case and to minimize the risk of re-traumatization, harm, or exposure. They are also narrowly tailored to provide to ONJ what it appears to seek—visibility of the case to identify hearing dates, and the ability to provide coverage during hearings and/or Trial.

C. The Conditions of The Minor Child's Testimony Should Be Modified Due to the Intense Media Scrutiny, to Protect The Child's Anonymity.

Finally, the Court should modify its Order permitting the minor child to testify via alternate means to further protect the child, given the local, national, and international media attention that [REDACTED] criminal case has received. Presently, the child was to testify in the courtroom, with the Court and both counsel—but not the parties—present in the courtroom, and with his therapist present for emotional support. However, it is now very likely that the child could encounter third parties and strangers outside of the courthouse, outside of the courtroom, or elsewhere at the time he is to testify. The Court has already ruled that the factors for determining an alternative method for the child's testimony applies and granted Dad's request to allow the same (which [REDACTED] had stipulated to in the "J" case). However, the publicity of the case impacts those factors under NRS 50.590, necessitating further restrictions.

Dad requests that the child's testimony be converted to a child interview by the Court in chambers, with each party preparing and providing questions to the Court with which to examine the child. Child interviews are routinely completed in family court

1 and have substantially less of a negative impact on the child than testimony. A child
2 interview by the Court in Chambers (with or without counsel present), separately
3 scheduled and recorded, is an alternative method reasonably available under NRS
4 50.590(1). If this Court's chambers does not have the technology, other Chambers may
5 have the same.

6 Pursuant to NRS 50.590(2), these available means are better for "protecting the
7 interests of or reducing emotional trauma to the child" with the new public interest in
8 the case. The sensitive, traumatizing, and emotional nature of the case, under NRS
9 50.590(3) also compels a method of receiving the child's testimony that does not
10 subject him to public exposure or scrutiny. The relative rights of the parties, factor 4,
11 can be protected by allowing the parties to submit questions and/or by allowing counsel
12 to be present with the Judge in Chambers. Under factor 5, the importance of the child's
13 testimony is paramount in this case. Finally, factor 6, "the nature and degree of
14 emotional trauma that the child may suffer if an alternative method is not used" heavily
15 supports amending the Order to allow the child to testify in the privacy of the Court's
16 chambers, and not in a courtroom which could potentially be accessed by the public.
17 The media attention and public interest in this case (factor 7) is also a compelling and
18 relevant factor supporting Dad's request.

19 For all of those reasons, the Court should convert the child's testimony to a child
20 interview, in Chambers, and limit the child's trauma and exposure.

21 **IV. CONCLUSION**

22 While Dad understands the public and media interest in this case given the large
23 "mom" group that [REDACTED] created and runs, and deeply appreciates all of the public
24 support, prayers, and encouragement for the child, his sole interest is in ensuring that the
25 child is safe and protected. For all of those reasons, Dad respectfully requests the
26 following relief:
27
28

1. That, if this case is unsealed at all despite the presumptive closure under NRS 126.211, that Court balance the public's right to information with the minor child's and Dad's rights to privacy, with only limited unsealing, including by (1) limiting unsealing to permit only visibility of the case, but not allow access or downloading of filed documents, (2) setting forth strict protocols to redact (bleeping out) the names/identity and any information that could be used to identify or locate the minor child or Dad during hearings, as set forth herein, and (3) mandating appropriate redactions/continued sealing to protect the anonymity of the minor child and Dad, including restricting access to the courtroom on a hearing by hearing basis other than appropriately-redacted recordings;
2. That the Court strongly err on the side of protecting the minor child by strictly prohibiting *any* recording of the minor child, or disclosure of the child's name, image, or identifying information, given the sensitive nature of the issues in this case;
3. That this Court modify and amend the conditions of the minor child's testimony, converting it to a private child interview in Chambers, with the child's therapist present for emotional support, given the intense media scrutiny; and
4. For such other and further relief as this Court deems just and proper.

DATED this 20th day of August, 2025.

Respectfully Submitted,

THE JIMMERSON LAW FIRM, P.C.

/s/ James J. Jimmerson
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DECLARATION OF [REDACTED]

[REDACTED] under penalty of perjury, does hereby declare:

1. I am the Plaintiff in this action, and competent to testify in this matter. I have read the foregoing PLAINTIFF'S RESPONSE TO OUR NEVADA JUDGES' MOTION TO UNSEAL CASE FILE, AND PLAINTIFF'S COUNTERMOTION TO MODIFY AND AMEND CONDITIONS OF CHILD TESTIMONY TO PROTECT ANONYMITY OF MINOR AND RELATED RELIEF and make this Declaration in support of it.

2. I have reviewed the Response, and attest that the facts are true of my own personal knowledge, except where stated upon information and belief, and as to those matters, I believe them to be true. I hereby incorporate the factual statements within the Response in this Declaration, as if set forth in full.

3. I am extremely concerned about the impact of the publicity of this case on our son, and my only goal and desire is to protect him as much as possible.

4. I respectfully request that the Motion be granted.

I declare under penalty of perjury under the laws of the state of Nevada that the foregoing is true and correct.

Executed this 20th day of August, 2025.

/s/ [REDACTED]
[REDACTED]