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CASE NO: A-26-946122-W  
Department 24

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

11 OUR NEVADA JUDGES, INC.,  
12 Petitioner,  
13 vs.  
14 BOULDER CITY MUNICIPAL COURT;  
15 and DARREN EMILY, MUNICIPAL  
16 COURT JUDGE PRO TEMPORE,  
17 Respondents.

Case No.:  
Dept. No.:

**EX-PARTE PETITION FOR  
ALTERNATIVE WRIT OF  
MANDAMUS; OR IN THE  
ALTERNATIVE FOR  
PEREMPTORY WRIT OF  
MANDAMUS**

16 COMES NOW, Our Nevada Judges, Inc., a Nevada Non-Profit Corporation  
17 (hereinafter "ONJ"); by and through its attorney of record Robert E. Murdock,  
18 Esq. and Sydney M. Koren, Esq, and hereby files its ex-parte petition for  
19 alternative writ of *mandamus*; or, in the alternative for a peremptory writ of  
20 *mandamus*.  
21



1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 On March 23, 2026, the Founding Director of ONJ, Alexander Falconi,  
3 submitted an SCR 230(1) request to provide electronic coverage of the *City of*  
4 *Boulder City vs Josue Morales*, Boulder City Municipal Court, Case no. 25 CR  
5 00173 8N. Exhibit 1. On May 7, 2026, Municipal Court Judge pro tempore  
6 Darren Emily granted the request as to video recording but denied the request as  
7 to audio recording, effectively rendering any footage useless as inconsistent with  
8 ONJ’s serial and clustered coverage models.

9 Mr. Falconi was recognized as running the “press organization” now  
10 incorporated as ONJ. *Falconi v. Eighth Judicial Dist. Court*, 543 P.3d 92, 94  
11 (2024) (hereinafter “*Falconi*”). The Supreme Court, unanimously, expressed this  
12 opinion again in *Nester vs Eighth Judicial Dist. Ct.*, 141 Nev. Adv. Op. 4 (2025).  
13 Indeed, the Supreme Court linked ONJ’s work both before as Mr. Falconi’s sole  
14 proprietorship and post-incorporation as the entity now formally established as  
15 ONJ. *Our Nev. Judges, Inc. v. Eighth Judicial Dist. Court*, 555 P.3d 777 (Nev.  
16 2024)(unpublished) (“even though the opinion lists a different party’s name, [Mr.  
17 Falconi and ONJ] are one and the same.”) Mr. Falconi has been recognized<sup>1</sup> as a  
18 “news reporter” under SCR 229(1)(c), and efforts to interfere with electronic  
19 coverage for arbitrary, capricious, and unexplained reasons have repeatedly  
20 failed. See also *Our Nev. Judges, Inc. v. Second Judicial Dist. Court*, 553 P.3d 445  
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<sup>1</sup> ONJ has provided electronic coverage of the First, Second, Fifth, Sixth, Seventh, Eighth, Ninth, and Tenth Judicial District Courts; and, the Supreme Court and Court of Appeals; and, the Commission on Judicial Discipline; and, the Las Vegas, North Las Vegas, Reno, Henderson, Beatty, Virginia, and Dayton Justice Courts; and, the Las Vegas, Henderson, and Reno Municipal Courts; and, the Division of Parole and Probation.

1 (Nev. 2024) (unpublished). *Our Nev. Judges, Inc. v. Eighth Judicial Dist. Court*,  
2 555 P.3d 777 (Nev. 2024) (unpublished).

3 Judge Emily had a duty to recognize the SCR 230(2) electronic coverage  
4 presumption and make particularized findings. *Solid v Eighth Judicial District*  
5 *Court*, 133 Nev. 118, 393 P.3d 666 (2017). In failing to do so, Judge Emily  
6 frustrates the Supreme Court’s educational and informational mandate. SCR 241.

7 ONJ is entitled to a writ of mandamus under NRS 34.160 and NRS 34.170.  
8 Indeed, the Supreme Court has expressly authorized and required it. SCR 243.  
9 See also Nevada Constitution Article VI Section 6; NRS 34.160. When the Writ  
10 is applied for without notice, and the Writ is allowed by the Court, an Alternative  
11 Writ shall be first issued. NRS 34.200. See NRS 34.190(2). “[T]he scope of the  
12 press's and public's access to courts is an important issue of law, as well as a  
13 substantial issue of public policy, warranting [] extraordinary consideration  
14 [because] direct appellate review is often not available to the press, and thus,  
15 writs for extraordinary relief may be necessary to challenge a denial of access.” A  
16 writ of mandamus is available to compel the performance of an act that the law  
17 requires as a duty resulting from an office, trust or station, see NRS 34.160, *or to*  
18 *control an arbitrary or capricious exercise of discretion. See Round Hill Gen.*  
19 *Imp. Dist. v. Newman*, 97 Nev. 601, 637 P.2d 534 (1981).

20 ONJ typically seeks peremptory writs, but this specific case presents an  
21 opportunity for this Court to issue an alternative writ. NRS 34.190(2). This is  
because, upon reading this petition and this Court’s alternate writ, it is unlikely  
the Boulder City Municipal Court will resist because no SCR 230(2) findings  
whatsoever were made. This will conserve judicial and non-profit resources. NRS

1 34.190(2). In this regard, NRS 34.190(2) provides: "The alternative writ shall  
2 state generally the allegation against the party to whom it is directed, and  
3 command such party, immediately after receipt of the writ, or at some other  
4 specified time, to do the act required to be performed, or to show cause before the  
5 court, at a specified time and place, why the party has not done so." ONJ would  
6 typically include objecting parties as a real-party in interest, but there were  
7 apparently no objections made and Judge Emily imposed the restrictions of his  
own accord.

8         The municipal courts are subject to public and press scrutiny as much as  
9 the district courts and our appellate courts. Indeed, "[i]t is not unrealistic even in  
10 this day to believe that public inclusion affords citizens a form of legal education  
11 and hopefully promotes confidence in the fair administration of justice." *State v.*  
12 *Schmit*, 273 Minn. 78, 87-88, 139 N. W. 2d 800, 807 (1966). "Instead of acquiring  
13 information about trials by firsthand observation or by word of mouth from those  
14 who attended, people now acquire it chiefly through the print and electronic  
15 media. In a sense, this validates the media claim of functioning as surrogates for  
16 the public." *Richmond Newspapers*, 448 U. S. 525, 573 (1980). "People in an  
17 open society do not demand infallibility from their institutions, but it is difficult  
18 for them to accept what they are prohibited from observing." *Richmond*  
19 *Newspapers*, 448 U. S., at 572. "The free press is the guardian of the public  
interest, and the independent judiciary is the guardian of the free press." *Leigh v.*  
20 *Salazar*, 668 F.3d 1126 (9th Cir. 2012).

21         If Judge Emily vacates his order, conducts the required SCR 230(2)  
analysis, and denies or restricts access with particularized findings, such an order

1 would not properly be within the scope of this petition, and ONJ will consider  
2 whether to file a new writ petition with relevant points and authorities based on  
3 his findings. Likewise, if at such juncture a party objects, ONJ will be sure to  
4 include the party as a real-party in interest.

5 THEREFORE, Petitioner ask this Court to issue an alternate writ of  
6 mandamus directing Judge Emily to vacate his erroneous order restricting audio  
7 recording and replace it with an order allowing camera access or denying camera  
8 access with particularized findings; or, appear before this Court and show cause  
9 why a peremptory writ of mandamus should not issue. If this Court is disinclined  
10 to consider issuing an alternate writ, ONJ urges this Court to set a hearing on  
11 shortened time because the trial is scheduled to occur on May 23, 2026 and  
12 pretrial hearings may occur.

13 ***AFFIRMATION:** This document does not contain a social security number  
14 of any person.*

15 DATED this 8th day of May, 2026.

16 **MURDOCK & ASSOCIATES, CHTD.**

17 /s/ Robert E. Murdock, Esq. \_\_\_\_\_

18 Robert E. Murdock, Esq.

19 Nevada Bar No. 4013

20 Sydney M. Koren, Esq.

21 Nevada Bar No. 15291

521 South Third Street

Las Vegas, NV 89101

*Attorney for Petitioner*

1 **VERIFICATION**

2 I, Alexander M. Falconi, state that I have read this *Petition* and that the  
3 contents are true and correct of my own personal knowledge, except for those  
4 matters I have stated that are not of my own personal knowledge, but that I only  
5 believe them to be true, and as for those matters, I do believe they are true.

6 *I declare<sup>2</sup> under penalty of perjury that the foregoing is true and correct.*

7 EXECUTED this 8th day of May, 2026.

8 

9  
10 Alexander M. Falconi  
11 Founding Director  
12 Our Nevada Judges, Inc.  
13 [admin@ournevadajudges.com](mailto:admin@ournevadajudges.com)  
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21 <sup>2</sup> NRS 53.045 (declaration in lieu of affidavit).

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**List of Exhibits**

**Exhibit 1:** SCR 230(1) Request  
Pages: 1

**Exhibit 2:** Order  
Pages: 1

**EXHIBIT 1**

**EXHIBIT 1**

**BOULDER CITY MUNICIPAL COURT  
CLARK COUNTY, NEVADA**

CITY OF BOULDER CITY \_\_\_\_\_,

**Plaintiff,**

vs.

JOSUE MORALES \_\_\_\_\_,

**Defendant.**

CASE NO.: 25-CR-173

**MEDIA REQUEST FOR  
ELECTRONIC COVERAGE  
OF COURT PROCEEDINGS**

(Form Revision Date: 4/4/2024)

**E-Mail Request to:**

[court@bcnv.org](mailto:court@bcnv.org)

ALEX FALCONI \_\_\_\_\_ (name),

of OUR NEVADA JUDGES, INC. \_\_\_\_\_ (media organization), hereby requests permission to begin:

**(CHECK ALL THAT APPLY)**

Audio Broadcasting (live)       Televising (live)       Live-streaming audio and/or video via Internet

**\* For live usage, I hereby acknowledge that Section 8A of the Nevada Constitution grants specific protections to victims of crime and that my media organization will make the following reasonable efforts to prevent the inadvertent disclosure of confidential information about victims (for example: 3-second delay, pixelation, etc.): \_\_\_\_\_**

**I further acknowledge that representatives of my media organization will comply with any specific restrictions that may be imposed by the judge prior to, or during, the court proceeding to be presented live.**

Audio Broadcasting (not live)     Televising (not live)     Recording     Photographing

Other \_\_\_\_\_

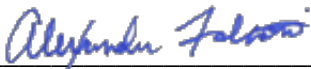
proceedings held in open Court, in the above entitled case, in Department No. \_\_\_\_\_, on the 7 day of MAY, 2026, at the hour of 9:30 A.M.

I hereby certify that I am familiar with, and will comply with, the Nevada Supreme Court's RULES ON ELECTRONIC COVERAGE OF COURT PROCEEDINGS (Supreme Court Rules 229-246, inclusive). If this request is being submitted less than twenty-four (24) hours before the above-described proceedings commence, the following facts provide good cause for the Court to grant the request on such short notice:  
N/A

It is further understood that any media camera pooling arrangements shall be the sole responsibility of the media and must be arranged prior to coverage, without asking for the Court to mediate disputes.

It is further understood that **this request is specific to the above-entitled case only. No other cases on calendar may be broadcast, televised, recorded, photographed, and/or live-streamed without the Court's express, written permission.**

Dated this 10 day of DECEMBER, 2025.

SIGNATURE: 

PHONE: 702-374-3530

E-MAIL: admin@ournevadajudges.com

**EXHIBIT 2**

**EXHIBIT 2**

1  
2 **BOULDER CITY MUNICIPAL COURT**

3 **CLARK COUNTY, NEVADA**

FILED  
2026 MAY -7 P 3:58

MUNICIPAL COURT  
BOULDER CITY, NEVADA

4  
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6 CITY OF BOULDER CITY

7 Plaintiff,

8 vs

9 JOSUE MORALES

10 Defendant,  
11  
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Case No. 25 CR 00173 8N

ORDER GRANTING  
PARTIAL MEDIA REQUEST

13 WHEREAS The Court has received Media Request for Electronic Coverage of  
14 Court Proceedings dated March 23<sup>rd</sup>, 2026, and has reviewed this request.

15 IT IS HEREBY ORDERED by this Court that the request be granted in part with  
16 permission to videotape and/or digitally record the proceedings in the above-  
17 referenced case to include still photographs.

18 IT IS FURTHER ORDERED by this Court the request is denied in part by  
19 disallowing any sound/audio recording of any kind.

20 The requested media access will apply for every hearing held in this Court in  
21 the above-entitled case, at the discretion of the Court, and unless otherwise notified.  
22 This order is made in accordance with Supreme Court Rules 229-247, inclusive, and is  
23 subject to reconsideration upon motion of any party to the action. Media access may  
24 be revoked if it is shown that access is distracting the participants, impairing the  
25 dignity of the Court or otherwise materially interfering with the administration of  
26 justice. This entry shall be made part of the record of the proceedings in this case.

27 DATED this 7 day of May, 2026.

28   
MUNICIPAL JUDGE, PRO TEMPORE

\*\*\*\*\*

Media notified via email on 5/7/2026

Plaintiffs' Attorney notified via Interoffice Mail on 5/7/2026

Defendant's Attorney notified via email and U.S. Postal Service on 5/7/2026

The Court did not have contact information for the following individuals:

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**Any written objection to the Court's Order should be filed at least twenty-four (24) hours prior to the subject hearing.**