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8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**  
10 **FAMILY DIVISION**

11 **XXXXXXXXXXXXXXXXXXXX**

Petitioner,

12 vs.

13 BRADLEY BELLISARIO;  
14 Respondent.

\_\_\_\_\_ /

CASE NO: D-25-**XXXXXX**-R  
DEPT NO: A

**REPLY TO OPPOSITION TO**  
**MOTION TO UNSEAL CASE**  
**FILE**

15 COMES NOW, Our Nevada Judges, Inc., a Nevada non-profit  
16 corporation, by and through the undersigned counsel, and hereby replies  
17  
18 *Bradley Bellisario's Opposition to Motion to Unseal Case File.*

19 This reply is based upon the following memorandum of points and  
20 authorities.  
21

22 **DATED** this Jun 3, 2026

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## Memorandum of Points and Authorities

Bradley Bellisario's opposition raises a variety of minor issues which Our Nevada Judges, Inc. (hereinafter 'ONJ'), will address first. Regarding ONJ's internal policies and the lack of enforceability, ONJ does not oppose this Court entering orders consistent with the law and ONJ's policies. Regarding this Court's discretion to conduct the strict scrutiny analysis, identify compelling interests, and narrowly tailor protections, ONJ does not oppose this Court conducting this constitutional duty.

Indeed, the *Nester Court* specifically imposed a requirement for the Court to do, *sua sponte*, which is especially relevant here, as the sensitive information is not known to ONJ. *Nester v. Eighth Jud. Dist. Ct.*, 141 Nev. \_\_\_, 562 P. 3d 1071 (2025) ("when a request for closure is granted, courts 'must *sua sponte* consider possible alternatives to the closure even when they are not offered by the parties.'").

Regarding Mr. Bellisario's request for a protective order, ONJ takes no position, but reminds Mr. Bellisario that protective orders, stipulated or not, are binding upon the Parties and not the press. NRCP 26(b)(1). See also SRCR 3(4) ("The parties' agreement alone does not constitute a sufficient basis for the court to seal or redact court records.") Regarding camera access, SCR 230(2) controls. Mr. Bellisario and any witnesses cannot avoid

1 camera coverage merely upon demand. SCR 240(1) (consent to camera  
2 coverage not required.) Mr. Bellisario is obligated to provide grounds to this  
3 Court why he himself or any witness should be excluded from camera  
4 coverage, and particularized findings must be made. See also *Solid v.*  
5 *Eighth Jud. Dist. Court*, 133 Nev. 118, 393 P.3d 666 (2017).  
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8 Mr. Bellisario’s primary argument is that existing precedent has not  
9 expressly struck down NRS 128.090. This is the same argument, that the  
10 family court lacks the discretion to allow press access, that has been  
11 repeatedly tried and has repeatedly failed. The *Falconi Court* conceded that  
12 NRS 125.080 allowed parties to close a divorce on demand, and that the  
13 Court lacked discretion to do otherwise; however, in doing so, the  
14 Supreme Court explained how the statute violated the First Amendment  
15 and was therefore unconstitutional. *Falconi v. Eighth Jud. Dist. Ct.*, 140  
16 Nev. \_\_\_, 543 P.3d 92 (2024). Indeed, a converse reading of the *Falconi*  
17 decision led to the Supreme Court reminding the family court that any  
18 interpretation that the Court lacked discretion to deny press access was as  
19 unconstitutional as any interpretation that the Court lacked discretion to  
20 allow press access. *Nester, Id.*  
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25 Mr. Bellisario is correct that termination of parental rights is an  
26 “exercise of awesome power” because it is “tantamount to [] a civil death  
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1 penalty”, but this logic alone fails to understand that criminal death penalty  
2 proceedings involve the State invoking its authority to kill a person, and  
3 such proceedings would never be conducted in secret. *In re Parental*  
4 *Rights as to AL*, 130 Nev. 914, 337 P.3d 758 (2014).

6 The *Falconi Court* clearly explained how broad its ruling was when it  
7 expanded *Stephens Media* from criminal cases, to ***all civil cases***, including  
8 family court. Indeed, the Rupert Murdoch News Corp Trust parties<sup>1</sup>  
9 asserted the very same arguments Mr. Bellisario raised; namely, that the  
10 *Falconi Court* only struck down NRS 125.080, so NRS 164.041 and NRS  
11 669A.256 were not within its scope. Instead of entering an order denying  
12 the media coalition’s writ petition, the Supreme Court overruled District  
13 Court Judge David Hardy’s ruling, systematically dismantled multiple  
14 arguments, and united, *en banc*, with an emphatic reminder as to the  
15 breadth of the *Falconi* decision and the duty of the judiciary to comply with  
16 the First Amendment. *NY Times Co. v. Dist. Ct. (Doe 1 trust)*, 141 Nev. Adv.  
17 Op. 71 (Dec. 23, 2025).

23 Mr. Bellisario may be correct that the language of the statute does not  
24 appear to require a sealing order, but the federal judiciary has already been  
25 “asked to determine whether a state may mandate the categorical sealing  
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28 <sup>1</sup>ONJ is specifically referring to the pseudonymously appearing parties that participated  
in *NY Times Co. v. Dist. Ct.*, 141 Nev. Adv. Op. 71 (Dec. 23, 2025)

1 of all medical and health records filed in any state court proceeding in  
2 order to protect the individual privacy rights of the subjects of those  
3 records, without any case-by-case consideration of the privacy interest  
4 implicated by the records or whether less restrictive alternatives exist to  
5 sufficiently protect that interest [and] conclude[d] that it may not.” *Civil Beat*  
6 *Law Ctr. for the Pub. Int., Inc. v. Maile*, 113 F.4th 1168, 1180 (9th Cir. 2024).  
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9 Mr. Bellisario’s arguments regarding minor children and the need to  
10 protect them is meritorious only to the extent that this Court exercises its  
11 discretion, as required by the *Falconi Court*, the *Nester Court*, and the *NY*  
12 *Times Court*. The larger issue is that it is wholly unconstitutional to maintain  
13 this entire case file under seal, especially in light of SRCR 3(5)(c), which  
14 expressly forbids the sealing of the entire file “under [any] circumstances”.  
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17 The First Amendment does apply, the SRCR do apply; if the Rupert  
18 Murdoch News Corp Trust parties were not able to distinguish their  
19 proceedings from *Falconi* and escape the authority of the SRCR, neither  
20 should Mr. Bellisario. The Legislature’s intent is only relevant when that  
21 intent does not violate the constitution; and, this is not merely a family  
22 court principle. *Powers v. Eighth Jud. Dist. Ct.*, 142 Nev. Advance Opinion  
23 35 (2026) (describing the Legislature’s repeated violations of the separation  
24 of powers clause in enacting statute after statute interfering with the  
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1 judiciary's constitutional authority to promulgate rules. The judiciary has the  
2 power and duty to reject Legislative intent in these contexts because the  
3 Constitution of the United States is the supreme law of the land. U.S.  
4 Const. art. VI, § 2.)

6 Mr. Bellisario also conflates physical access issues with gag orders, in  
7 expressing concern at ONJ intending to cover these proceedings without  
8 permission. News reporters do not need the permission of a Court to  
9 publish court proceedings. *Las Vegas Review Journal v. Eighth Jud. Dist.*  
10 *Ct.*, 142 Nev. Advance Opinion 31 (2026). ONJ has filed a motion to unseal  
11 and SCR 230(1) media request seeking permission to physically access the  
12 courtroom and deploy a camera, respectively.

16 An effort by District Court Judge Jessica Peterson to assert otherwise  
17 resulted in an immediate rebuke from the Supreme Court. This is because  
18 prior restraints are held to a far more rigorous standard. *Las Vegas*  
19 *Review-Journal v. Eighth Judicial Dist. Court*, 134 Nev. 40, 44, 412 P.3d 23,  
20 26 (2018). Unless Mr. Bellisario seeks and obtains a gag order from this  
21 Court, publication will occur. This Court has the discretion to limit physical  
22 and camera access under less rigorous standards, but doing so will only  
23 affect the accuracy of the publication. The public has been observing Mr.  
24 Bellisario's myriad criminal proceedings for years, and has an interest in  
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1 seeing how the family court disposes of this matter. "People in an open  
2 society do not demand infallibility from their institutions, but it is difficult for  
3 them to accept what they are prohibited from observing." *Richmond*  
4 *Newspapers*, 448 U. S., at 572 (1980). "Openness promotes public  
5 understanding, confidence, and acceptance of judicial processes and  
6 results, while secrecy encourages misunderstanding, distrust, and  
7 disrespect for the courts." *Del Papa v. Steffen*, 112 Nev. 369, 374, 915 P.2d  
8 245, 249 (1996).

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12 Mr. Bellisario's concerns about his identity being published against his  
13 will are facetious. The public would likely find any confidentiality order futile  
14 and upon observing the videos would find the redaction of Mr. Bellisario  
15 ridiculous, because Mr. Bellisario's criminal matters have already been  
16 published extensively. The best way for Mr. Bellisario to protect his children  
17 would have been to refrain from engaging in the very criminal misconduct  
18 that his prosecution and conviction exposed them to. To require the  
19 redaction of his identity now, when it has already been published, flies in  
20 the face of *Las Vegas Review Journal v. Eighth Jud. Dist. Ct. Id.* (conceding  
21 an interest in protecting the victim, but recognizing her identity had already  
22 been published.)  
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1           When two institutions, the voice of our children and the prosecutorial  
2 arm of the county, unite with the media to seek the unsealing of unmarried  
3 child custody actions, it shakes the foundation of this notion that children's  
4 interests mandates total secrecy. Supreme Court docket no. 91212,  
5 *Petition* filed August 29, 2025; *Answer* filed April 13, 2026, *Amicus Brief*  
6 *filed April 21, 2026.*

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9           The Child's Attorney Project and the Clark County District Attorney's  
10 offices efforts to nullify NRS 126.730, which the Clerk of the Court has  
11 been apparently interpreting as justification for the categorical sealing of  
12 unmarried child custody actions, does not control the analysis before this  
13 Court, but it does demonstrate that the notion of protecting children has  
14 not been adopted as a universal pretext as to categorically request the  
15 Family Court departments to operate their own personal Star Chambers.

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19           In a nutshell, Mr. Bellisario asks this Court to make the same mistakes  
20 District Court Judge Charles Hoskin, Bryce Duckworth, and David Hardy  
21 made, all of which were corrected by the appellate court. This Court must  
22 follow the First Amendment in the first instance. If NRS 128.090 gets in the  
23 way of that, the Supreme Court's recent cases described above compel  
24 that this Court is obligated to declare it unconstitutional.

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1 **NRS 239B.030(4) AFFIRMATION**

2 Pursuant to NRS 239B.030 the undersigned hereby affirms that this  
3 document does not contain the social security number of any person.  
4

5 **DATED** this Jun 3, 2026

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