

1 CRAIG A. MUELLER, Esq.  
Nevada Bar No. 4703  
2 **MUELLER & ASSOCIATES, INC.**  
723 S. Seventh Street  
3 Las Vegas, NV 89101  
P: (702) 382-1200  
4 Attorney for Defendant

5 **EIGHTH JUDICIAL DISTRICT COURT**  
6 **CLARK COUNTY, NEVADA**

8 THE STATE OF NEVADA,  
9 Respondent-Plaintiff,  
vs.


10 MICHAEL LEE MCDONALD,  
11 Defendant.  
12

) Case No.: C-18-335284-1  
) Dept. No: 28

) **MOTION FOR RECONSIDERATION**

13 COMES NOW, MICHAEL MCDONALD, by and through his attorney of record,  
14 CRAIG A. MUELLER, of MUELLER & ASSOCIATES, INC., hereby submits this MOTION  
15 FOR RECONSIDERATION. This Motion is made and based upon all the papers and pleadings  
16 on file herein, attached points and authorities in support hereof, and oral argument at the time of  
17 hearing, if deemed necessary by this Honorable Court.

18 DATED this 28<sup>th</sup> day of August, 2019.

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21 \_\_\_\_\_  
CRAIG A. MUELLER, ESQ.  
Nevada Bar No. 4703 .  
723 S. Seventh Street  
Las Vegas, NV 89101  
P: (702) 382-1200  
Attorney for Defendant  
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. Facts and Procedural History**

3 Defendant Michael McDonald has no criminal record and has been through a contentious  
4 divorce process involving attempts by his former spouse to “press his buttons” to elicit a response.  
5 Camera coverage of criminal cases is unusual, and more unusual when the case is not a capital  
6 case and does not involved a defendant with a previous criminal record.

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8 **II. Law and Argument**

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10 Rule 230 of the Nevada Supreme Court Rules governing electronic coverage in court  
11 proceedings provide that, among the factors to be considered, are:

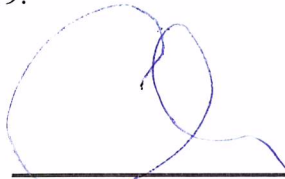
- 12 (a) The impact of coverage upon the right of any party to a fair trial; (b) The impact of coverage upon  
13 the right of privacy of any party or witness; (c) The impact of coverage upon the safety and well-  
14 being of any party, witness or juror; (d) The likelihood that coverage would distract participants  
15 or would detract from the dignity of the proceedings; ...

16 Having media cameras pointed at Mr. McDonald for the duration of the proceedings would amount  
17 to nothing more than bear-baiting in this case. The divorce and forced separation of Mr. McDonald  
18 from his children have been extremely stressful. The actual information made available to the  
19 public from video of the court proceedings will be minimal. It would not elicit public knowledge  
20 nor inform the court. The point rather will be the potential for theater afforded by keeping the  
21 stress and distraction of a video camera trained on Mr. McDonald throughout, and to potentially  
22 capture and display an emotional response from Mr. McDonald if his wife succeeds in eliciting  
23 such a response from him.

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25 **III. Conclusion**

26 The Court should reconsider its decision and revoke access to media cameras in this case.  
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1 DATED this 28<sup>th</sup> day of August, 2019.

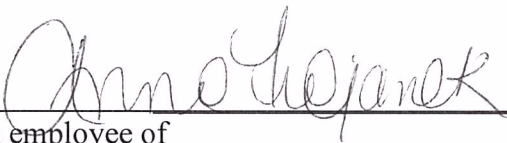
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8 723 S. Seventh Street  
9 Las Vegas, NV 89101  
10 P: (702) 382-1200  
11 Attorney for Defendant

12  
13 **CERTIFICATE OF SERVICE**

14 I HEREBY CERTIFY that on the 28<sup>th</sup> day of August, 2019, I served a true and  
15 correct copy of the foregoing, upon each of the parties by electronic service through Wiznet  
16 pursuant to the Eighth Judicial District Court rules of service as follows:

17  
18 Clark County District Attorney's Office  
19 200 Lewis Ave, 3<sup>rd</sup> Floor  
20 Las Vegas, NV 89155  
21 [motions@clarkcountynv.com](mailto:motions@clarkcountynv.com)  
22 [pdmotions@clarkcountynv.com](mailto:pdmotions@clarkcountynv.com)

23   
24 \_\_\_\_\_  
25 An employee of  
26 MUELLER & ASSOCIATES, INC.  
27  
28