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5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
6  
7 IN AND FOR THE COUNTY OF WASHOE

8 STATE OF NEVADA,

9  
10 Plaintiff,

Case No. CR19-1535A  
CR19-1535B

11 v.

Dept. 8

12 ROGER EUGENE HILLYGUS (A),  
13 STEWART EVANS HANDTE (B),

14 Defendants.  
\_\_\_\_\_ /

15  
16 **ORDER REGARDING COURTROOM DECORUM DURING TRIAL**

17 Trial in the above-referenced matters is set to begin January 22, 2024.

18 In order to maintain the proper decorum of these proceedings and to ensure a  
19 fair trial to both defendants and the government, the Court hereby orders and directs  
20 that all parties in this case and all spectators in the courtroom shall abide by the  
21 following:

- 22 (1) Based on security concerns expressed by the Washoe County Sheriff's Office  
23 related to the instant case, and pursuant to the Administrative Order entered on  
24 June 28, 2007, wireless communications devices must remain off and are not  
25 permitted to be used while in the courtroom. Such devices include mobile  
26 phones, laptop computers, and personal digital assistants (PDA's).<sup>1</sup> Further,

27 <sup>1</sup> Except for Law Enforcement Officers, Department Eight Staff and Second Judicial  
28 District Court Administration.

- 1 (2) Based on security concerns expressed by the Washoe County Sheriff's Office  
2 related to the instant case, and pursuant to the Administrative Order entered on  
3 June 28, 2007, cameras, recording, reproducing, and transmitting equipment,  
4 which are not considered wireless communications devices, are prohibited from  
5 the courtroom and courthouse, unless they are associated with the Media and  
6 have a pre-approved Media Request permitted under Nevada Supreme Court  
7 Rules regarding Electronic Coverage of Court Proceedings. See NSCR 229- 246,  
8 inclusive. Members of the Media shall abide by all the Nevada Supreme Court  
9 Rules regarding Electronic Coverage of Court Proceedings, unless otherwise  
10 ordered by the Court. See id.
- 11 (3) The Jury in this case has been empanelled anonymously. The media shall not be  
12 permitted to film the jurors or take still photos of the jurors. See NSCR 238. No  
13 other person will be permitted to film or take still photos of the jurors because  
14 such individuals will not be permitted to use devices with those capabilities in  
15 the courtroom, as provided in the June 28, 2007 Administrative Order. No  
16 person shall identify the jurors by anything other than their juror number in the  
17 courtroom. If a spectator in the courtroom knows any of the jurors by name or  
18 any other identifying factor, such person is prohibited from disseminating that  
19 information to any other person.
- 20 (4) There shall be no attempt made to contact any juror in this case regarding any  
21 matter connected with this case. There shall be no attempt made to intimidate or  
22 harass a witness or juror.
- 23 (5) There shall be no attempt to talk with or gesture to any witness or juror in the  
24 courtroom during proceedings or when they are entering or leaving the  
25 courtroom and courthouse facility, except by Counsel with respect to witnesses  
26 during the active exercise of his representation in accordance with accepted  
27 courtroom practice.
- 28 (6) There shall be no visual display of approval or disapproval of any witnesses'  
answers.

1 (7) There will be no loud talking, chanting, or other disruptive behavior permitted in  
2 the courtroom or the hallway outside the courtroom. Disruptive behavior  
3 includes, but is not limited to, sleeping in the courtroom, reading newspapers,  
4 magazines or other like material, and children running in aisles.

5 (8) Persons entering the courtroom must dress appropriately for the setting. Persons  
6 wearing tank tops, shorts, hats or jogging attire will not be admitted into the  
7 courtroom. Shoes and shirts are required in the courtroom at all times.

8 Failure to abide by this Court's orders may constitute contempt of Court and/or  
9 a violation of Nevada law. This Court will not hesitate to have anyone who disrupts  
10 these proceedings by engaging in any of the conduct described above removed from the  
11 courtroom and barred from further attendance at this trial.

12 (9) Persons entering the courtroom will not be permitted to occupy any chair in the  
13 front row of the gallery.<sup>2</sup>

14 This Order is necessary to ensure that the Defendants and the Government have  
15 the opportunity to present their case to the jury free from any suggestion of undue  
16 outside influence. The Bailiffs and other Courthouse Security Officers who are  
17 employed by the Washoe County Sheriff have the authority, without further direction  
18 from the Court, to correct improper behavior in the courtroom by removing the  
19 offending individual from the proceeding and/ or confiscating a device that is used  
20 contrary to this Order. The Washoe County Sheriff shall notify the Court of offending  
21 behavior so the Court can take further action if necessary.

22 Based on the forgoing, good cause appearing, and in the interest of justice,  
23 IT IS SO ORDERED.

24 DATED this 5th day of January 2024.

25 

26 BARRY L. BRESLOW  
27 DISTRICT JUDGE

28 <sup>2</sup> Except for Law Enforcement Officers, Department Eight Staff, Counsel of Record's support staff and Second Judicial District Court Administration.

CERTIFICATE OF SERVICE

1 Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial  
2 District Court of the State of Nevada, County of Washoe; that on this 5th day of  
3 January 2024, I deposited in the County mailing system for postage and mailing with  
4 the United States Postal Service in Reno, Nevada, a true copy of the attached document  
5 addressed to:


6 Roger Eugene Hillygus, Booking No. 23-327  
7 Washoe County Jail  
8 911 Parr Blvd.  
9 Reno, NV 89512

10 Further, I certify that on the 5th day of January 2024, I electronically filed  
11 the foregoing with the Clerk of the Court electronic filing system, which will send  
12 notice of electronic filing to the following:

13 AMOS STEGE, DDA  
14 IAN SILVERBERG, APD  
15 ROGER HILLYGUS  
16

17 Further, I certify that on the 5th day of January 2024, I sent the foregoing  
18 via electronic mail to the following recipients, return receipt requested:

19  
20 AMOS STEGE, DDA  
21 IAN SILVERBERG, APD  
22 ROGER HILLYGUS  
23

24   
25 \_\_\_\_\_  
26 Judicial Assistant  
27  
28