

IN THE SUPREME COURT OF THE STATE OF NEVADA

CODY GAMBLE,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
BRYCE C. DUCKWORTH, DISTRICT
JUDGE,
Respondents,
and
LEANNE M. NESTER,
Real Party in Interest.

No. 88678

FILED

MAY 29 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DIRECTING ANSWER

This emergency pro se petition for a writ of mandamus challenges a district court order staying child custody proceedings pending our consideration of a related writ petition concerning media coverage of the proceedings. Petitioner also seeks case reassignment to another district judge and that NRS 125.110's sealing provision be declared unconstitutional, claiming that the district court's order based on that provision is impeding his equal access to the court.

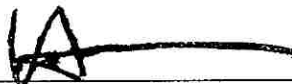
Petitioner has also filed motions for leave to file parts of the appendix under seal and for transmittal of confidential reports, pointing out that the case was sealed below in accordance with NRS 125.110 and providing a copy of the January 6, 2023, district court sealing order. SRCR 7 provides that "[c]ourt records sealed in the trial court shall be sealed from public access in the Nevada Supreme Court subject to further order of that court." Accordingly, we grant the motion and direct the clerk of this court to file under seal the documents in the appendix beginning on pages 53, 86,

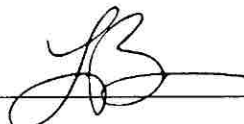
117, 143, 164, 192, 218, 229,¹ 259, 262, 298, 308, 333, 347, 383, 389, 407, 418, 438, 451, 473, 499, 510, 512, and 523. We caution petitioner that, in any future filings, portions of the appendix not subject to the motion to seal should be filed under a separate volume. We deny petitioner's motion to transmit confidential documents at this time, as the custody evaluation and CPS records do not appear necessary for our review of this matter.

Further, having reviewed the petition and supporting documents, we conclude that an answer may assist this court in resolving the petition. Therefore, real party in interest shall have 7 days from the date of this order to file and serve an answer, including authorities, against issuance of the requested writ. NRAP 21(b)(1). As petitioner has not demonstrated that reassignment to a different district judge is warranted, however, see *Valley Health Sys., LLC v. Eighth Jud. Dist. Ct.*, No. 84330, 2022 WL 1788220 (Nev. June 1, 2022) (discussing when reassignment is appropriate absent a motion to disqualify), real party in interest need not address that issue. Petitioner shall have 7 days from the date the answer is served to file and serve any reply.

It is so ORDERED.


_____, C.J.
Cadish


_____, J.
Herndon


_____, J.
Bell

¹Pleadings are defined in NRCP 7(a) and do not include answers to interrogatories.

cc: Hon. Bryce C. Duckworth, District Judge, Family Division
Cody Gamble
Hutchison & Steffen, LLC/Las Vegas
Eighth District Court Clerk