

1 LUKE A. BUSBY, ESQ.  
2 SBN 10319  
3 316 California Ave.  
4 Reno, Nevada 89509  
5 775-453-0112  
6 [luke@lukeandrewbusbyltd.com](mailto:luke@lukeandrewbusbyltd.com)  
7 *Attorney for Our Nevada Judges, Inc.*

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

XXXXXXXXXXXXXXXXXX,	CASE NO: T-22-XXXXXXXX-T
Plaintiff,	DEPT NO: Q
vs.	
XXXXXXXXXXXXXXXXXX,	
Defendant.	
_____ /	

11 **ORDER GRANTING MOTION TO UNSEAL CERTAIN J.A.V.S. VIDEOS**

12  
13 Before the Court is the unopposed<sup>1</sup> *Motion* of Our Nevada Judges, Inc.  
14 (hereinafter 'ONJ') to unseal certain J.A.V.S. videos. ONJ is requesting the release of  
15 J.A.V.S. videos for each and every hearing, *to date*.

16  
17 ONJ is an SCR 229(1)(c) non-party news reporter. A non-party may file a  
18 motion to unseal. SRCR 4(2). See also *United States v. James*, 663 F. Supp. 2d  
19 1018, 1020 (W.D. Wash. 2009) (“[d]omestic press outlets unquestionably have  
20 standing to challenge access to court documents.”) (citation omitted). SRCR 1(4)  
21 provides the scope of the rules on sealing and redaction. “A court's authority to limit  
22 or preclude public access to judicial records and documents stems from three  
23 sources: constitutional law, statutory law, and common law.” *Howard v. State*, 128  
24 Nev. 736, 291 P. 3d 137 (2012). The Supreme Court held that a First Amendment  
25  
26  
27

28 <sup>1</sup> Plaintiff was served electronically on September 27, 2024. Defendant was served by mail on October 19, 2024.

1 right of access to these proceedings exists. *Falconi v. Eighth Jud. Dist. Ct.*, 543 P.3d  
2 92, 97 (Nev. 2024).

3 The *Falconi* Court broadly expanded the scope of the ruling in *Stephens*  
4 *Media, LLC. v. Eighth Judicial District Court*, 125 Nev. 849, 221 P. 3d 1240 (2009)  
5 from criminal proceedings to all civil proceedings, including family law  
6 proceedings. The *Stephens Media* Court recognized that there was a distinction  
7 between oral proceedings and documentation that “merely facilitate[s] and  
8 expedite[s]” one of those oral proceedings. The J.A.V.S. videos are a distillation of  
9 preceding motion practice and actual records of the hearings themselves. This  
10 Court is forced to reject any construction that would not incorporate and include  
11 the strict scrutiny test mandated by the *Falconi Court*. Compare *State v.*  
12 *Castaneda*, 126 Nev. 478, 481, 245 P.3d 550, 553 (2010).

14 This Court may also construe the lack of any opposition as a consent to  
15 granting the motion. EDCR 2.20(e). DCR 13(3).

16 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that  
17 each and every hearing from the date of filing to November 4, 2024, inclusive, be  
18 unsealed and released to Our Nevada Judges, Inc.

19 Dated this 14th day of November, 2024

20   
21 \_\_\_\_\_  
DISTRICT COURT JUDGE  
(ND)

22 Submitted By: /s/ Luke Busby  
LUKE A. BUSBY, ESQ.  
23 Nevada Bar No. 10319  
316 California Ave.  
24 Reno, Nevada 89509  
775-453-0112  
25 [luke@lukeandrewbusbyltd.com](mailto:luke@lukeandrewbusbyltd.com)  
26 *Attorney for the Our Nevada Judges*

4D1-G25 3149 9B4D  
Bryce C. Duckworth  
District Court Judge