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6 **DISTRICT COURT**
7 **CLARK COUNTY, NEVADA**
8 **FAMILY DIVISION**

[REDACTED]	Petitioner,	CASE NO: D-19-[REDACTED]-C
vs. [REDACTED]	Respondent.	DEPT NO: Y
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12 **ORDER GRANTING MOTION TO UNSEAL CERTAIN J.A.V.S. VIDEOS**

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14 Before the Court is the unopposed *Motion* of Our Nevada Judges, Inc.
15 (hereinafter 'ONJ') to unseal certain J.A.V.S. videos. ONJ is requesting the release of
16 J.A.V.S. videos for each and every hearing that occurred on or after January 13,
17 2022. Parties did not file timely oppositions.

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19 A non-party may file a motion to unseal. SRCR 4(2). See also *United States v.*
20 *James*, 663 F. Supp. 2d 1018, 1020 (W.D. Wash. 2009) (“[d]omestic press outlets
21 unquestionably have standing to challenge access to court documents.”) (citation
22 omitted). SRCR 1(4) provides the scope of the rules on sealing and redaction. “A
23 court's authority to limit or preclude public access to judicial records and
24 documents stems from three sources: constitutional law, statutory law, and
25 common law.” *Howard v. State*, 128 Nev. 736, 291 P. 3d 137 (2012). The Supreme
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1 Court held that a First Amendment right of access to these proceedings exists.
2 *Falconi v. Eighth Jud. Dist. Ct.*, 543 P.3d 92, 97 (Nev. 2024).

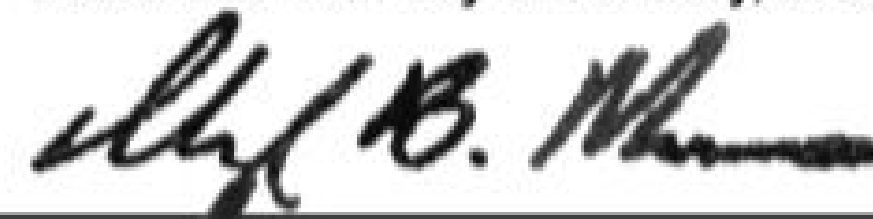
3 The *Falconi* Court broadly expanded the scope of the ruling in *Stephens*
4 *Media, LLC. v. Eighth Judicial District Court*, 125 Nev. 849, 221 P. 3d 1240 (2009)
5 from criminal proceedings to all civil proceedings, including family law
6 proceedings. The *Stephens Media* Court recognized that there 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 must reject construction of any statute or court rule that would not
11 incorporate and include the strict scrutiny test mandated by the *Falconi Court*.
12 Compare *State v. Castaneda*, 126 Nev. 478, 481, 245 P.3d 550, 553 (2010).

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14 This Court may also construe the lack of any timely opposition as a consent
15 to granting the motion. EDCR ~~2.20(e)~~ ^{5.503(b)} DCR 13(3).

16 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that
17 each and every J.A.V.S. recording of the hearings held in this matter from January
18 13, 2022, to the date of this order, are unsealed.

19 IT IS FURTHER ORDERED that the hearing on this matter scheduled for
20 February 25, 2025 at 9:00 a.m.
~~March 12, 2025~~ is HEREBY VACATED. ~~EDCR 5.701.~~

Dated this 14th day of January, 2025



DISTRICT COURT JUDGE

AF2 B18 99F2 C848
Cheryl B. Moss
District Court Judge

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