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OPPC
Abira Grigsby, Esq.
Nevada Bar No. 10308
The Grigsby Law Group
A Professional Corporation
2880 W. Sahara Ave.
Las Vegas, Nevada 89102
Phone: (702) 202-5235
Fax: (702) 944-7856
abira@grigsbylawgroup.com
Attorney for Defendant

The Grigsby Law Group
2880 West Sahara Ave.
Las Vegas, Nevada 89102
Tel: (702) 202-5235

DISTRICT COURT

FAMILY DIVISION

CLARK COUNTY, NEVADA

[redacted],

Plaintiff,

vs.

[redacted],

Defendant.

_____/

Case No. D-21-[redacted]-P

Dept. No. D

ORAL ARGUMENT REQUESTED: Yes X No_

NOTICE **YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS OPPOSITION WITH THE CLERK AND TO PROVIDE THE UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN SEVEN (7) DAYS OF YOUR RECEIPT OF THIS MOTION FAILURE TO FILE A WRITTEN RESPONSE WITH THE CLERK OF THE COURT WITHIN SEVEN (7) DAYS OF YOUR RECEIPT OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED BY THE COURT WITHOUT HEARING PRIOR TO THE SCHEDULED HEARING DATE.**

OPPOSITION TO OUR NEVADA JUDGES, INC. MOTION TO UNSEAL CASE FILE

COMES NOW, Defendant, XXXXXXXXXXXXXXXX, (hereinafter "XXXXXXXXXXX" or "Ms. XXXX"), by and through her counsel, Abira Grigsby, Esq. of the Grigsby Law Group A.P.C, in Opposition to Our Nevada Judge, Inc. (hereinafter referred to as "ONJ") Motion to Unseal Case File. This Opposition is made and based upon the attached Points and Authorities, Pleadings and papers on file in this action.

MEMORANDUM OF POINTS AND AUTHORITIES

I.

STATEMENT OF FACTS

This is a paternity case. There are criminal charges pending against the Defendant, XXXXXXXXXXXXX XXXX. It is true that ONJ is allowed media access to that case. However, it does not mean that ONJ should be allowed access to a case that is presumptively sealed by statue.

II.

ARGUMENT

NRS 126.211 provides "any hearing or trial held under this chapter must be held in closed court without admittance of any person other than those necessary to the action or proceeding. All papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in the Division of Welfare and Supportive Services of the Department of Health and Human Services or elsewhere,

The Grigsby Law Group
2880 West Sahara Ave.
Las Vegas, Nevada 89102
Tel: (702) 202-5235

are subject to inspection only upon consent of the court and all interested persons, or in exceptional cases only upon an order of the court for good cause shown." This case is presumptively closed. The statue provides that any hearing or trial is closed and only those persons who are necessary to the proceedings are allowed into the courtroom.

The When construing a statute, this court looks first to the statutory language. If the language is unambiguous, this court need not look beyond the ordinary meaning of the language[1]. Statutes must be construed as a whole in order to give meaning to all of the statute's provisions[2]. The Nevada Supreme Court has stated it "will first look at the statute's plain meaning; and if the meaning is clear, this court will not consider legislative intent[3]." Here, there is no ambiguity int eh statute. The legislature intended these proceedings to be closed hearings without any exceptions. Therefore, the motion for access to any and all hearings should be denied.

The Grigsby Law Group
2880 West Sahara Ave.
Las Vegas, Nevada 89102
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[1] City Council of Reno v. Reno Newspapers, 105 Nev. 886, 891, 784 P. 2d 974, 977 (1989).

[2] Charlie Brown Constr. Co. v Boulder City, 106 Nev. 497, 502, 797 P. 2d 946, 949 (1990), overruled on other grounds by Calloway v. City of Reno, 116 Nev. 250, 267, 993 P. 2d 1259, 1270 (2000).

[3] Meridian Gold v. State, Dep't of Taxation, 119 Nev. __, __, 75 P. 3d 363, 365-66 (2003).

The second part of the statute provides that all papers and records other than the final judgment are subject to inspection upon consent of the court and all interested parties. Ms. XXXXXX is not giving her consent to review any records in this case.

The last part of the statue allows for inspection of records in "exceptional cases" by a Court order after showing of good cause. Here, there has not been any good cause shown. ONJ's desire to monitor the case is not good cause.

ONJ has also requested that this Court declare NRS 126.211 unconstitutional to the extent that the sealing is not within the Court's discretion. The Nevada Supreme Court has found NRS 125.080, EDCR 5.207 and 5.212 unconstitutional to the extent that they permitted closed court proceedings without the exercise of judicial discretion.[4] That is completely distinguishable from this case as those cases were presumptively open cases and here the Nevada Legislature has made these proceedings closed hearings. The same logic does not apply here as these proceedings are closed by statute.

III.

CONCLUSION

For the reasons set forth above, Ms. XXXXXXXX

[4] Falconi v. Eighth Jud. Dist. Ct., 543 P.3d 92 (2024).

The Grigsby Law Group
2880 West Sahara Ave.
Las Vegas, Nevada 89102
Tel: (702) 202-5235

respectfully requests that ONJ's Motion be denied in its entirety.

DATED this 24th day of August, 2025

THE GRIGSBY LAW GROUP
A Professional Corporation

/s/Abira Grigsby

Abira Grigsby, Esq.
2880 W. Sahara Ave,
Las Vegas, Nevada 89102
abira@grigsbylawgroup.com

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DECLARATION OF XXXXXXXXXXXX

I, XXXXXXXXXXXXXXX, do hereby declare under penalty of perjury that the assertions of this Declaration are true and correct to the best of my knowledge. As for those assertions based on belief, I believe them to be true.

1. That I am the Defendant in the above-referenced matter;
2. That I have read the foregoing Opposition and the factual averments it contains are true and correct to the best of my knowledge, except as to those matters based on information and belief, as to those matters, I believe them to be true. The factual averments contained in the Opposition and Countermotion are incorporated here as if set forth in full.

/s/XXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXX

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