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Respondent.

Case No. 62649

## Docket 62649 Document 2013-27577

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1       The *Howard* sealing rules are based on federal court and civil cases, not  
2 juvenile law. *Id.* 143. The *Howard* Court made no exceptions for juvenile court  
3 documents filed in a criminal case thereby making juvenile court documents  
4 available to the public UNLESS a party to the cause of action files a motion with  
5 the Court and requests permission to seal the documents. But even if a party  
6 requests permission to file a document under seal, the *Howard* Court will make the  
7 ultimate decision.

8       Despite the fact that NRS 62H.030 prohibits Barber and his attorneys from  
9 making his juvenile records open to the public, under *Howard*, this Court may do  
10 just this unless Barber convinces the Court otherwise.

11       Because of the *Howard* requirements, Barber sets forth reasons that this  
12 Court should seal his juvenile court records.

- 13       1. The documents Barber is attempting to seal are juvenile court records  
14       within Volume IV at pages 652-710.
- 15       2. The reason the sealing is necessary is because NRS 62H.030 identifies all  
16       juvenile court documents and records as confidential, sealed documents,  
17       not open to public inspection.
- 18       3. The duration of the Order Sealing Documents: forever or until the  
19       legislature changes the juvenile statutes.

1 Based on the above requirements of *Howard*, Barber asks this Court to issue an  
2 order sealing the above mentioned juvenile court document.  
3

4 DATED this 17<sup>th</sup> day of September, 2013.

5 PHILIP J. KOHN  
6 CLARK COUNTY PUBLIC DEFENDER  
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8  
9 By *Sharon Dickinson*  
10 SHARON G. DICKINSON, #3710  
11 Deputy Public Defender  
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1                                    **DECLARATION OF SHARON G. DICKINSON**

2                    1. I am an attorney licensed to practice law in the State of Nevada; I  
3  
4 am a deputy public defender assigned to handle the appeal of this matter; I am  
5 familiar with the procedural history of this case.  
6

7                    2. The documents within Volume IV at pages 652-710 are juvenile  
8 court records involving Barber's district court case before the case was certified to  
9 the adult court system. Because they are juvenile records, under NRS 62H.030  
10 they must be kept confidential.  
11

12                   3. Pages 711 to 721 within Volume IV are not juvenile court records  
13 and therefore do not need to be sealed. They were placed on the back of the  
14 juvenile court records by mistake. We are sending up a second Volume IV  
15 appendix with pages 711 to 721 as public documents.  
16  
17

18                   I declare under penalty of perjury that the foregoing is true and  
19 correct.  
20

21                   EXECUTED on the 17<sup>th</sup> day of September, 2013.  
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23                     
24                   SHARON G. DICKINSON  
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SHARON G. DICKINSON  
HOWARD S. BROOKS

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Employee, Clark County Public  
Defender's Office