

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN DEMON MORGAN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 70424

**FILED**

MAR 08 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER*

Cause appearing, the motion for an extension of time filed on February 6, 2017, is granted. NRAP 31(b)(3). The clerk shall file the opening brief received on February 7, 2017. Respondent shall have 30 days from the date of this order to file and serve the answering brief.

Appellant has also filed an unopposed motion requesting this court to direct the district court clerk to transmit sealed original exhibits from appellant's competency proceedings. Appellant fails to explain why the exhibits cannot be reproduced in a separate volume of the appendix and submitted for filing along with a motion to file that volume of the appendix under seal. See NRAP 30(d). Further, appellant fails to demonstrate that the exhibits are appropriate for filing under seal, and failed to submit the exhibits for this court's review. "[D]ocuments filed in this court are presumptively open to the public unless we exercise our inherent authority and grant a motion to file specific documents under seal." *Howard v. State*, 128 Nev. 736, 738, 291 P.3d 137, 138 (2012). A party who seeks to seal a document must file a written motion identifying the document the party wishes to seal and may submit the document separately from the motion. *Id.* at 746, 291 P.3d at 143. Such documents "will remain confidential for a reasonable period of time pending this

court's resolution of the motion." *Id.* The burden lies with the party seeking to seal a document to demonstrate adequate grounds for denying public access. *Id.* at 744, 291 P.3d at 142.

Accordingly, the motion is denied. Appellant may renew the motion if he can demonstrate why the exhibits are incapable of being reproduced in an appendix, and demonstrate adequate cause as to why the exhibits should be filed under seal.

It is so ORDERED.

Cherry, C.J.

cc: Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney