

IN THE SUPREME COURT OF THE STATE OF NEVADA

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MAURICE MOORE,  
Appellant,

v.

THE STATE OF NEVADA,  
Respondent.

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Case No. 79817

Electronically Filed  
Mar 03 2020 02:41 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**MOTION TO REDACT MINOR VICTIM'S LAST NAME**  
**FROM APPELLANT'S OPENING BRIEF**

COMES NOW the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through his Chief Deputy, JONATHAN E. VANBOSKERCK, and files this Motion to Redact Minor Victim's Last Name from Appellant's Opening Brief. This motion is filed pursuant to NRAP Rule 27 and is based on the following memorandum and all papers and pleadings on file herein.

Dated this 3<sup>rd</sup> day of March, 2020.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

BY */s/ Jonathan E. VanBoskerck*

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JONATHAN E. VANBOSKERCK  
Chief Deputy District Attorney  
Nevada Bar #006528  
Office of the Clark County District Attorney

## ARGUMENT

While Appellant's Opening Brief primarily refers to the minor victim by her first name, it also mentions her last name on the third page. In order to protect the victim's privacy, the State moves to redact any reference to the last name of the victim from Appellant's Opening Brief.

Although the rules of this Court do not address how to refer to minors, the legislature has declared that "[t]his State has a compelling interest in assuring that the victim of a sexual offense" report the crime, cooperate in the investigation, and testify in the criminal prosecution. NRS 200.377(1)(a)-(c). Such interest is impaired by a victim's fear of public identification and invasion of privacy. NRS 200.377(2). Accordingly, information contained in court records which reveal the identity of a "victim of a sexual offense, an offense involving a pupil or sex trafficking" is confidential and may not be disclosed except under limited circumstances. NRS 200.3771.

It is clear that this Court has long followed a policy of withholding the last names of juveniles involved in appellate matters. In published opinions this Court has referred to cases descriptively or by first name and the first initial of the last name. See In re Seven Minors, 99 Nev. 427, 664 P.2d 947 (1983), disapproved of on other grounds by In re William S., 122 Nev. 432, 132 P.3d 1015 (2006). In filed documents, another practice before this Court has been to file documents

using only the initials of a minor. This Court employs a similar practice when generating documents. This Court dismissed an unrelated appeal of a certification decision and captioned the Order by reference to the first name and first initial of the last name of the juvenile appellant. See Order Dismissing Appeal, filed November 13, 2014, under Case Number 64579.

The State concedes that the identity of Appellant's victim cannot be removed from the various documents in the record and as such there is only so much this Court can do to protect her privacy. See Howard v. State, 128 Nev. 736, 291 P.3d 137 (2012). However, removing references to her last name in Appellant's Opening Brief is something that can be achieved without impacting Appellant's rights or the interest of the public in accessing public records.

### **CONCLUSION**

WHEREFORE, the State respectfully requests that references to the last name of the victim be redacted from Appellant's Opening Brief.

Dated this 3rd day of March, 2020.

Respectfully submitted,

STEVEN B. WOLFSON  
Clark County District Attorney

BY */s/ Jonathan E. VanBoskerck*

JONATHAN E. VANBOSKERCK  
Chief Deputy District Attorney  
Nevada Bar #006528  
Office of the Clark County District Attorney

## **CERTIFICATE OF SERVICE**

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on March 3, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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BY /s/ E. Davis  
Employee, District Attorney's Office

JEV/Brittini Griffith/ed