

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK COUNTY OFFICE OF THE
CORONER/MEDICAL EXAMINER,
Appellant,
vs.
LAS VEGAS REVIEW-JOURNAL,
Respondent.

No. 82229

FILED

DEC 29 2020

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

ORDER DENYING STAY

This is an appeal from a district court order, entered on remand, directing appellant to provide unredacted copies of the juvenile autopsy reports requested by respondent under the Nevada Public Records Act. Appellant has filed an emergency motion seeking to stay the district court's order pending appeal. Respondent has filed an opposition.¹

When considering a motion for a stay pending resolution of an appeal, we consider the following factors: whether (1) the object of the appeal will be defeated absent a stay, (2) appellant will suffer irreparable or serious harm without a stay, (3) respondent will suffer irreparable or serious harm if a stay is granted, and (4) appellant is likely to prevail on the merits of the appeal. NRAP 8(c); *see also Fritz Hansen A/S v. Eighth Judicial Dist. Court*, 116 Nev. 650, 659, 6 P.3d 982, 987 (2000). The public interest may also be considered. *Clark Cty. Office of Coroner/Med. Exam'r v. Las Vegas Review-Journal*, 134 Nev. 174, 179 n.1, 415 P.3d 16, 20 n.1 (2018) (Cherry, J., concurring and dissenting) (citing *Hilton v. Braunskill*, 481 U.S. 770, 776 (1987) (providing that federal district and appellate courts

¹Respondent's motion for leave to file an opposition in excess of the NRAP 27(d)(2) page limit is granted; the opposition was filed on December 24, 2020.

will consider, as one factor, "where the public interest lies" when deciding a stay motion)).

Having considered the motion in light of these factors, we conclude that the factors do not militate in favor of a stay. Accordingly, we deny the motion for stay.

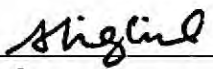
It is so ORDERED.


_____, C.J.
Gibbons


_____, J.
Silver

STIGLICH, J., dissenting:

I respectfully dissent. I would grant the stay to preserve the status quo until this court has an opportunity to address the merits of this matter.


_____, J.
Stiglich

cc: Hon. James Crockett, District Judge
Marquis Aurbach Coffing
Clark County District Attorney/Civil Division
McLetchie Law
Eighth District Court Clerk