

IN THE SUPREME COURT OF THE STATE OF NEVADA

B.T.;)
) **SUPREME CT. CASE NO.: 83122** Electronically Filed
) NOV 05 2021 04:09 p.m.
) Elizabeth A. Brown
Appellant,) Clerk of Supreme Court
) **D.C. CASE NO.: J-21-352754-D1**
v.)
)
THE STATE OF NEVADA)
)
Respondent.)
_____)

JOINT MOTION TO FILE JOINT APPENDIX AND BRIEFS
UNDER SEAL

Appellant, B.T., by and through his undersigned counsel, and the State of Nevada, by and through its undersigned counsel, hereby files this Joint Motion to file the Appendix and related Briefs in this matter under seal. *See Nevada Rules for Sealing and Redacting Court Records (SRCR) 3(1). See also Howard v. State*, 128 Nev. 736, 291 P.3d 137 (2012); SRCR 3(4)(f) and (h).

This Appeal involves Appellant challenging the District Court's (Juvenile Division) Order certifying him as an adult for purposes of criminal prosecution.

This Appeal arose from proceedings in the District Court (Juvenile Division) related to allegations of alleged sexual assault of a minor while Appellant was a juvenile. The proceedings in the District Court (Juvenile Division) are confidential.

The State has represented that they agree to the requested sealing as stated herein to protect the privacy interests of the alleged victim.

The parties agree that any other court with jurisdiction over this matter is free to address sealing, and may not be bound by the sealing decision from this Honorable Court. The parties further agree that any sealing Order by this Honorable Court may potentially expire if Appellant becomes subject to community notification as an adult or juvenile sex offender and/or if he is required to register as an adult or juvenile sex offender.

The parties further agree that once the instant case is adjudicated, that any sealing decision made by this Honorable Court may not necessarily impact a sealing decision made by the District Court (Juvenile Division) pursuant to NRS Chapter 62H or by the Justice Court and/or the District Court should Appellant's certification be affirmed.

Furthermore, the parties agree that the State's agreement to seal the Appendix and briefs in this matter, does not bind the State from potentially arguing against sealing in any other context.

In light of the foregoing, and the compelling circumstances as stipulated by the parties, it is respectfully submitted that reasonable redaction of the Joint Appendix and related briefs would not suffice to maintain confidentiality. While counsel will redact information including the name of the alleged victim and other personal identifying information, it is respectfully submitted that this would be insufficient for said documents to not be filed under seal.

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Accordingly, the parties are respectfully requesting that the Appendix and related briefs i.e. Opening Brief, Response Brief, and Reply Brief, be filed under seal as stated herein.

Dated this 5th day of November, 2021.

IT IS SO STIPULATED AND AGREED.

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of November 2021, I served a true and correct copy of the foregoing to all parties on the e-service list as follows:

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