

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF: B. J. W.-A., DATE
OF BIRTH: 10/21/2002, A MINOR 18
YEARS OF AGE.

B. J. W.-A.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

IN THE MATTER OF: B. J. W.-A., DATE
OF BIRTH: 10/21/2002, A MINOR 19
YEARS OF AGE.

B. J. W.-A.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83621

FILED

MAR 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

No. 84276

ORDER

Appellant has filed a motion for leave to file his opening brief and appendix under seal pursuant to SRCR 3(4)(h) and SRCR 7. The motion further requests that any answering brief and reply brief be filed under seal. Appellant indicates that the transcripts of the proceedings below, contained in volumes 1 and 2 of the appendix, were filed under seal in the district court. Appellant states that the "rest of the Appendix" should be filed under seal "because it involves a subject minor," and the alleged victims are minors. Appellant argues that sealing the briefs and appendix is justified due to the age of the involved parties, and the expectation of privacy of the subject minor as well as the alleged minor victims.

"[D]ocuments filed in this court are presumptively open to the public." *Howard v. State*, 128 Nev. 736, 738, 291 P.3d 137, 138 (2012).

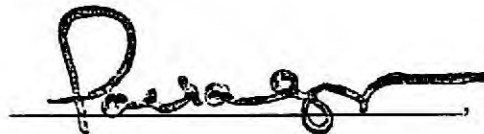
Having considered appellant's arguments and the documents before this court, this court concludes that appellant has not met the burden of demonstrating that sealing the entire briefs and appendix is warranted, and why redaction would not be sufficient to protect the information at issue. *See id.* at 744, 291 P.3d at 142 (providing that the party seeking to seal documents bears the burden of demonstrating adequate grounds for denying the public access to court records); SRCR 3(5)(b) (providing that a court record shall not be sealed under these rules where reasonable redaction would adequately resolve the issues before the court under SRCR 3(4)). Accordingly, the motion to seal is denied without prejudice.

Appellant submitted his opening brief and appendix for filing on March 14, 2022. The clerk of this court shall return those documents unfiled. Appellant shall have 7 days from the date of this order to file and serve the opening brief and appendix, along with any renewed motion to seal or motion to file certain documents subject to redaction. Any such motion should be accompanied by a copy of any district court order sealing documents and should explain why sealing or redacting is appropriate in this court, either pursuant to the SRCR or another applicable statute or rule. Any motion must also be accompanied by the documents that appellant proposes to file under seal. Should appellant file a motion to redact documents, he must provide this court with both redacted and unredacted versions of the documents.

Appellant has filed a motion to expedite the resolution of these consolidated appeals, wherein he seeks to have the appeals "reviewed on an emergency basis pursuant to NRAP 27(e)." Respondent has filed a response to the motion. Having considered the motion and response, this court grants the motion to the following extent. The resolution of this appeal shall

be expedited to the extent that this court's docket permits. Appellant may assist in expediting this appeal by timely complying with this order in regard to the filing of his opening brief and appendix, and by expediting his filing of a reply brief or promptly alerting the court that he will not be filing a reply brief.

It is so ORDERED.

 C.J.

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