1	IN THE SUPREME COURT OF THE STATE OF NEVADA	
2	Steven Eggleston, )	
3	Appellant, ) (Appellant, ) ) (Appellant, ) ) (Appellant, ) ) (Appellant, ) ) ) ) (Appellant, ) ) ) ) ) ) ) ) ) ) ) ) )	м
4	) Clerk of Supreme Cou	urt
5	Clark County Department of Family ) Services,	-
6	Respondent.	
7	<b>RESPONDENT'S MOTION FOR LEAVE TO FILE APPENDIX</b>	-
8	DOCUMENTS UNDER SEAL	
9	COMES NOW the State of Nevada by STEVEN B. WOLFSON, District	
10	Attorney, through his Chief Deputy, AMITY C. LATHAM, on behalf of the Clark	
11	County Department of Family Services (hereinafter "the Department"), and hereby	•
12	moves this Honorable Court to allow Respondent to file the documents included in	1
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all volumes of it's Appendix under seal. This Motion is based upon all the points and authorities cited and upon any oral arguments made at the hearing for this Motion (if any).

DATED this 2nd day of May, 2024.

Respectfully submitted, **STEVEN B. WOLFSON** Clark County District Attorney

Domity Latham

Amity C. Latham Chief Deputy District Attorney Nevada State Bar No. 9316

#### **RELIEF SOUGHT FROM NEVADA SUPREME COURT**

The Clark County Department of Family Services by and through the Clark County District Attorney's Office requests the Nevada Supreme Court allow the Department to file its Appendix under seal.

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## STATEMENT OF THE FACTS

In the District Court action from which this Appeal originates, the Department filed an Ex Parte Motion and Order to Seal Court Records. The order was granted, allowing documents to be sealed pursuant to NRS 432B.280. Although later portions of the case were unsealed, the actual documents were never unsealed. Additionally, Appellant filed a motion to file his Appendix under seal, which the Department did not oppose, and this Court granted. This motion is filed both for consistency and to comply with the prior findings as well as state law.

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## **POINTS AND AUTHORITIES**

Pursuant to NRS 432B.280, "information maintained by an agency which provides child welfare services, including, without limitation, reports and investigations made pursuant to this chapter, is confidential" and must be protected from unauthorized use and dissemination. Part VII of the Nevada Supreme Court Rules Governing Sealing and Redacting of Court Records ("SRCR") Rule 3(4) authorizes the court to order the sealing of court records, "provided the court makes and enters written findings that the specific sealing or redaction is justified by identified compelling privacy or safety interests that outweigh the public interest in access to the court record." SRCR Rule 3(4) provides a list of the types of privacy or safety interest findings that would outweigh the public interest in open court records. This case raises the type of compelling privacy or safety interests that would justify sealing the records of this case.

The information, including evidence and testimony presented at the fair hearing, is confidential pursuant to NRS 432B.280. The record of proceedings and the pleadings that will follow all contain information that is confidential by law. In accordance with SRCR Rule 3(4)(a), the court may make the finding that sealing these records is required by state law.

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## **CONCLUSION**

The Department respectfully requests that this Honorable Court grant Respondent's Motion. Respondent will provide to Appellant and the Court with the Appendix as required.

DATED this 2nd day of May, 2024.

Respectfully submitted, STEVEN B. WOLFSON Clark County District Attorney

amity Latham

Amity C. Latham Chief Deputy District Attorney Nevada State Bar No. 9316

# **CERTIFICATE OF SERVICE**

	<u>CERTIFICATE OF SERVICE</u>
2	I hereby certify that I am an employee of the Office of the District Attorney,
3	and that on the 2 <sup>nd</sup> day of May, 2024, I served the foregoing RESPONDENT'S
4	MOTION FOR LEAVE TO FILE APPENDIX DOCUMENTS UNDER SEAL by
5	electronic service to:
6	Paola M. Armeni, Esq. William D. Schuller, Esq.
7	Clark Hill PLLC 1700 South Pavillion Center Drive
8	Suite 500 Las Vegas, Nevada 89135
9	Attorney for Appellant
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11	An Employee of the Office of the District Attorney
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