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Elizabeth A. Brown
Clerk of Supreme Court

IN THE SUPREME COURT OF THE STATE OF NEVADA

OUR NEVADA JUDGES, INC.,
a Nevada Non-Profit Corporation,
Petitioner,

Vs.
SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA IN AND
FOR THE COUNTY OF WASHOE; AND
THE HONORABLE KATHLEEN SIGURDSON,
DISTRICT COURT JUDGE
Respondent.

Case No.
D. Ct. Case: CV24-00231

_____/_____
COUNTY OF WASHOE and ROBERT CONRAD,
Real Parties In Interest.

*****EMERGENCY PETITION UNDER NRAP 27(e)*****
PETITION FOR WRIT OF MANDAMUS
*****Relief is requested by April 17, 2024, at 1:00 p.m.*****

COMES NOW, Our Nevada Judges, Inc., a Nevada Non-Profit Corporation (hereinafter "ONJ") by and through the undersigned counsel, and hereby files a petition for writ of mandamus. The petition is based on the following memorandum of points and authorities and on the petitioner's appendix (hereinafter 'PA') on file.

NRAP 27(e)(3) Certificate

If this writ petition is not considered and granted prior to April 17, 2024 at 1:00 p.m., any opportunity to provide electronic coverage on the contents of the public proceeding will be irreversibly lost, especially due to the fact that the proceeding will not be recorded by automated J.A.V.S.. This constitutes “irreparable harm”. The Honorable Judge Kathleen Sigurdson’s order consists of two-words. This writ petition was prepared as soon as practicable thereafter, a mere one hour later. The Hon. Judge Sigurdson was notified via email to her judicial assistant at Michael.Decker@washocourts.us and by mail to 75 Court Street, Reno, NV 89501; Lindsay Liddell, Esq., counsel for the County of Washoe, was notified via email at lliddell@da.washocounty.gov, and by mail at 1 E. First St., Reno, NV 89501; I represent Dr. Bob Conrad, the Petitioner in the underlying proceeding, and waive service.

I. Routing Statement

This matter should be diverted to the Court of Appeals under Nevada Rules of Appellate Procedure (“NRAP”) 17(b) because it is not retained by the Supreme Court under NRAP 17(a) and it involves a single question of law.

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II. NRAP 26.1 Disclosure

The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a) and must be disclosed. These representations are made in order that the Justices of this Court may evaluate possible disqualification and recusal.

Petitioner does not have a parent corporation.

DR. ROBERT A. CONRAD, an individual d/b/a THISISRENO.COM.

CONRAD COMMUNICATIONS, LLC, a Nevada S-Corporation.

WASHOE COUNTY, a political subdivision of the State of Nevada.

Luke Busby, Esq., is counsel for Dr. Conrad.

The undersigned attorney is the only attorney appearing on behalf of Petitioner in this matter.

EXECUTED this Apr 16, 2024

By: /s/ Luke Busby, Esq.
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III. Summary

ONJ filed a request to provide electronic coverage of a civil proceeding in Second Judicial District Court Case No. CV24-00231. Respondent summarily denied camera access without explanation. This writ petition follows.

IV. Parties

Petitioner is Our Nevada Judges, a Nevada Non-Profit Corporation recognized by the IRS as a Section 501(c)(3) organization.

Respondents are the Second Judicial District Court and the Honorable Kathleen Sigurdson.

Real Parties in Interest are the County of Washoe and Bob Conrad.

V. Jurisdiction & Standing

This Court has original jurisdiction. Article 6, Section 4 of the Nevada Constitution. See also NRS 34.330.

VI. Relief Requested

Petitioner requests this Court issue a writ of mandamus directing Respondent to grant the SCR 230(1) request.

VII. Issues Presented

Whether the District Court abused its discretion in denying ONJ's SCR 230(1) request.

VIII. Facts

On April 11, 2024 at 10:40 a.m., ONJ submitted an SCR 230(1) request. PA-001. On same date, at 11:38 a.m., the request was provided

to Judge Sigurdson. PA-002. On April 16, 2024, Judge Sigurdson denied the request summarily and without any explanation. PA-003. The parties were never notified of ONJ's Request.

IX. Reasons Why the Writ Should Issue

a. Mandamus is the only available remedy

Alexander Falconi was recognized by the *Falconi* Court as running¹ the "press organization," which is now incorporated as a Nevada Non-Profit Corporation, ONJ.

This Court has provided that a news reporter may only seek relief by extraordinary writ. SCR 243.

This Court has further ruled that participant conduct in proceedings are a matter of public interest. *Abrams v. Sanson*, 136 Nev. 83, 87, 458 P.3d 1062, 1067 (2020). Likewise, "[t]he operations of the courts and the judicial conduct of judges are matters of utmost public concern." *Del Papa v. Steffen*, 112 Nev. 369, 374, 915 P.2d 245, 249 (1996).

A writ of mandamus may be issued "to compel the performance of an act which the law especially enjoins as a duty resulting from an office, trust or station; or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled and from which

¹ ONJ has been recognized as a news reporter by Districts 1, 2, 5, 6, 7, 8, 9, and 10; and, the Court of Appeals and Supreme Court; and, the Commission on Judicial Discipline; and, the North Las Vegas, Las Vegas, Reno, Beatty, Pahrump, Dayton, Sparks, Goodsprings, Sparks, and Virginia Justice Courts; and, the Reno, Las Vegas, and Henderson Municipal Courts. ONJ has recorded and published over 600 hearings.

the party is unlawfully precluded by such inferior tribunal, corporation, board or person,” when there is no plain, speedy, and adequate remedy. NRS 34.160; NRS 34.170. “[T]he scope of the press's and public's access to courts is an important issue of law, as well as a substantial issue of public policy, warranting [] extraordinary consideration [because] direct appellate review is often not available to the press, and thus, writs for extraordinary relief may be necessary to challenge a denial of access.”

Falconi v. Eighth Judicial Dist. Court, 543 P.3d 92, 95 (Nev. 2024).

b. The Presumption of Camera Access Mandates Intervention

The Falconi Court broadly expanded the scope of the ruling in *Stephens Media, LLC. v. Eighth Judicial District Court*, 125 Nev. 849, 221 P. 3d 1240 (2009) from criminal proceedings to all civil proceedings. Because the First Amendment renders civil proceedings presumptively open, the electronic coverage presumption under SCR 230(2) applies. Judge Sigurdson’s denial, in summary fashion and without explanation, violates both SCR 230(1) and *Solid v. Eighth Judicial District Court*, 133 Nev. 118, 393 P. 3d 666 (2017).

XI. Conclusion

Judge Sigurdson’s summary denial is an arbitrary abuse of discretion that interferes with ongoing coverage of the series.

WHEREFORE, Petitioner, asks for the following relief:

1. A writ of mandamus ordering Judge Sigurdson to vacate his order denying the SCR 230(1) with instructions to grant the request.

DATED this Apr 16, 2024

By: /s/ Luke Busby, Esq.

LUKE A. BUSBY, ESQ.

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VERIFICATION OF ALEXANDER FALCONI

I, Alexander M. Falconi, state that I am the Founding Director of Our Nevada Judges, Inc., and that I have read this *Petition* and that the contents are true and correct of my own personal knowledge, except for those matters I have stated that are not of my own personal knowledge, but that I only believe them to be true, and as for those matters, I do believe they are true.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this Apr 16, 2024



Alexander M. Falconi
Our Nevada Judges, Inc.
Founding Director
admin@ournevadajudges.com

CERTIFICATE OF COMPLIANCE

I, Luke Busby, declare and certify that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5), and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Google Docs in 14-point Helvetica. I further certify that this brief complies with the type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is proportionally spaced, has a typeface of 14 points or more and contains 1465 words.

EXECUTED this Apr 16, 2024

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NRAP 25(5)(c)(1)(B) Certificate of Service

I, Luke Busby, do hereby declare that I served a true and correct copy of this *Petition* by placing it into a sealed envelope and mailing it, postage prepaid, *via* United States Postal Service, addressed as follows:

The Hon. Kathleen Sigurdson
Second Judicial District Court
75 Court St.
Reno, NV 89507

Lindsay Liddell, Esq.
1 S Sierra St.
Reno, NV 89501
Attorney for Washoe County

... and *via* email to: lliddell@da.washoecounty.gov,
Michael.Decker@washoecourts.us, luke@lukeandrewbusbyltd.com.

SERVED this Apr 16, 2024

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