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CLERK OF THE COURT

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**DISTRICT COURT
CLARK COUNTY, NEVADA
FAMILY DIVISION**

XXXXXXXXXXXXXXXXXXXX

Plaintiff,

vs.

TODD MATTHEW PHILLIPS,
Defendant.

CASE NO: D-18-XXXXXX-D

DEPT NO: X

XXXXXXXXXXXXXXXXXXXX,

Plaintiff,

vs.

TODD MATTHEW PHILLIPS,
Defendant.

CASE NO: R-20-XXXXXX-R

DEPT NO: X

ORDER GRANTING MOTION TO UNSEAL CERTAIN J.A.V.S. VIDEOS

Before the Court is the unopposed¹ *Motion* of Our Nevada Judges, Inc. (hereinafter 'ONJ') to unseal certain J.A.V.S. videos. ONJ is requesting the release of J.A.V.S. videos for each and every hearing that occurred on or after April 13, 2020. Parties² did not file timely oppositions.

¹ Plaintiff was served electronically on September 27, 2024. Defendant was served by mail on October 19, 2024.

² This Court notes Defendant, Todd Matthew Phillips, filed unopposed motions for extension of time on December 10 and 17, 2024. Mr. Phillips requested an extension through December 24, 2024. The Court granted Mr. Phillips' requests. Despite allowing the extensions, Mr. Phillips has failed to file a timely opposition.

1 ONJ is an SCR 229(1)(c) non-party news reporter. A non-party may file a
2 motion to unseal. SRCR 4(2). See also *United States v. James*, 663 F. Supp. 2d
3 1018, 1020 (W.D. Wash. 2009) (“[d]omestic press outlets unquestionably have
4 standing to challenge access to court documents.”) (citation omitted). SRCR 1(4)
5 provides the scope of the rules on sealing and redaction. “A court's authority to limit
6 or preclude public access to judicial records and documents stems from three
7 sources: constitutional law, statutory law, and common law.” *Howard v. State*, 128
8 Nev. 736, 291 P. 3d 137 (2012). The Supreme Court held that a First Amendment
9 right of access to these proceedings exists. *Falconi v. Eighth Jud. Dist. Ct.*, 543 P.3d
10 92, 97 (Nev. 2024).

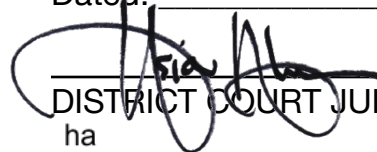
13 The *Falconi* Court broadly expanded the scope of the ruling in *Stephens*
14 *Media, LLC. v. Eighth Judicial District Court*, 125 Nev. 849, 221 P. 3d 1240 (2009)
15 from criminal proceedings to all civil proceedings, including family law
16 proceedings. The *Stephens Media* Court recognized that there was a distinction
17 between oral proceedings and documentation that “merely facilitate[s] and
18 expedite[s]” one of those oral proceedings. The J.A.V.S. videos are a distillation of
19 preceding motion practice and actual records of the hearings themselves. This
20 Court must reject construction of any statute or court rule that would not
21 incorporate and include the strict scrutiny test mandated by the *Falconi Court*.
22 Compare *State v. Castaneda*, 126 Nev. 478, 481, 245 P.3d 550, 553 (2010).

23 This Court may also construe the lack of any timely opposition as a consent
24 to granting the motion. EDCR 2.20(e). DCR 13(3).

25 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that
26 each and every J.A.V.S. recording of the hearings held in this matter from April 13,
27 2020, to the date of this order, are unsealed.
28

1 IT IS FURTHER ORDERED that the hearing on this matter scheduled for
2 February 13, 2025 is HEREBY VACATED. EDCR 5.701.

3 Dated this 30th day of December, 2024

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5 DISTRICT COURT JUDGE
6 ha

7 C7D 6B2 403C 6840
8 Heidi Almase
9 District Court Judge

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