

CERTIFICATE OF MAILING

I, MICHELLE L. MILLER, do hereby certify that I am a legal assistant to KALE M. BROCK, ESQ. and that on the 15 day of September, 2019, I placed a true and correct copy of the foregoing or attached document in the mail with the United States Postal Service in Winnemucca, Nevada, entitled *Motion to Dismiss*, to:

Steve Evenson

DATED this 15 day of September, 2019.

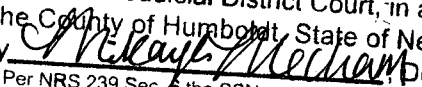

MICHELLE L. MILLER

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: 11-18-19

Tami Rae Spero, County Clerk and Clerk of the Sixth Judicial District Court, in and for The County of Humboldt, State of Nevada.

By  Deputy

Per NRS 239 Sec. 5 the SSN may be redacted, but in no way affects the legality of the document.

MOTION TO DISMISS

FILED

Case No. CV 21,682-1
Dept. No. 2

2019 OCT 29 AM 10:13

Spec
TAMI RAE SPETT
DIST. COURT CLERK

IN THE SIXTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF HUMBOLDT

NORA ALANIZ,

Plaintiff,

vs.

KRISTOPHER DANIEL,
Defendant.

REPLY TO PLAINTIFF'S OBJECTION
TO MEDIA REQUEST

COMES NOW, Our Nevada Judges¹, appearing in proper person, and hereby files a reply to Defendant's *Notice of Objection to Media Request* filed October 18, 2019. This reply is based upon the following memorandum of points and authorities and all pleadings on file herein.

DATED this 29 day of October, 2019.

Alexander M. Falconi

Alexander M. Falconi
Our Nevada Judges
Administrator

¹ This organization is not a business entity; it is a sole proprietorship, owned, operated, and controlled by the individual, Alexander M. Falconi.

Memorandum of Points and Authorities

1. Applicability of NRS 125.080

NRS 125.080 was enacted in 1985 and amended once since. If these were divorce proceedings, the statute would control and Our Nevada Judges concedes the proceedings would not be "open to the public"; it would follow that the presumption of electronic coverage would not apply. These are not divorce proceedings, they are child support enforcement proceedings, and thus are not within the scope of the statute. "When a statute's language is plain and its meaning clear, the courts will apply that plain language." *Leven v. Frey*, 123 Nev. 399, ___, 168 P. 3d 712, 715 (2007). Compare also *Webb ex rel. Webb v. Clark County School*, 125 Nev. 611, 218 P. 3d 1239 (2009) ("indicat[ing] that the rules of statutory interpretation apply to Nevada's Rules of Civil Procedure.>")

2. Newsworthiness

SCR 241(1) allows coverage of proceedings for "educational" purposes. All of Our Nevada Judges' published works indicate an educational focus. There is some newsworthiness that drew Our Nevada Judges' attention following testimony given by members of the mining community at the August 20, 2019 public hearing before the Child Support Guidelines Committee; child support enforcement proceedings like that of the instant case are apparently a topic of contention among the community. Despite this, Our Nevada Judges stands by its emphasis of education over information, consistent with SCR 241(1). While Plaintiff is not accustomed to this type of comprehensive coverage, it nonetheless does not run afoul of the public policy of this State.

3. News Reporter Status

SCR 230 provides no requirement that a "news reporter" be a business entity. District Judges Rob Bare, Michelle Leavitt, Ronald Israel, Cristina Silva, and Jerry Wiese, have already

1 permitted coverage of proceedings, and despite objections raised by other litigants, never before
2 has it been asserted that a "news reporter" must be an "educational" or "business entity". *Leven*
3 *v. Frey, Id.*

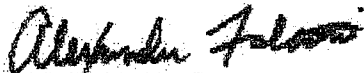
4 **4. Privacy Concerns**

5 The Court can protect privacy concerns by order restrictions on coverage of financial
6 details. Such restrictions would be abided by.
7

8 **5. Conclusion**

9 Our Nevada Judges can provide coverage of these proceedings while protecting the
10 privacy interests of Parties.
11

12 DATED THIS 29 day of October, 2019.

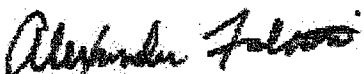
13 
14 Alexander M. Falconi

15 **Declaration of Alexander M. Falconi**

16 I, Alexander M. Falconi, do hereby that I am over the age of 18 and have read the
17 foregoing reply, and the factual averments it contains are true and correct to the best of my
18 knowledge, except as to those matters based on information and belief, and as to those matters, I
19 believe them to be true.
20

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

22 EXECUTED THIS 29 day of October, 2019.

23 
24 Alexander M. Falconi
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