

SUPREME COURT OF NEVADA

Las Vegas Review-Journal, Inc. v. Eighth Judicial District Court
(Chasing Horse)

142 Nev., Adv. Op. 31 (2026) · No. 92008 · Decided April 23, 2026

SUMMARY

The Nevada Supreme Court granted an emergency petition for a writ of mandamus challenging district court restrictions on the publication of an alleged victim’s identity and the exclusion of media representatives from a criminal trial. The court held that the restrictions constituted an unconstitutional prior restraint and that the exclusion violated the press’s First Amendment right of access to criminal proceedings. The court concluded that the district court had manifestly abused its discretion.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Herndon, C.J.; Stiglich, J.; Cadish, J.
JURISDICTION	Supreme Court of Nevada
DECIDED	April 23, 2026
DOCKET	92008
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Emergency original petition for a writ of mandamus or prohibition challenging district court restrictions on publication of an alleged victim's identity and exclusion of petitioners from the courtroom.
STANDARD OF REVIEW	Mandamus is available to control a manifest abuse of discretion or an arbitrary or capricious exercise of discretion. A writ of prohibition arrests proceedings exceeding the district court's jurisdiction. The Supreme Court independently determines whether to entertain an extraordinary-writ petition when no plain, speedy, and adequate legal remedy exists.
PRECEDENTIAL VALUE	Published and precedential
PARTIES	Las Vegas Review-Journal, Inc., Noble Brigham, Bizuayehu Tesfaye, Akiya Dillon v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark, Hon. Jessica K. Peterson, District Judge

TOPICS

first amendment

free speech

appellate procedure

writ of certiorari

injunctions

PRACTICE AREAS

constitutional law

appellate procedure

criminal procedure

civil procedure

media law

QUESTIONS PRESENTED

1. Whether the district court's restriction prohibiting the press from publishing an alleged victim's name constituted an unconstitutional prior restraint.
2. Whether the district court violated the press's First Amendment right of access to criminal trials by excluding the Review-Journal from the courtroom for refusing to comply with the publication restriction.
3. Whether extraordinary writ relief was appropriate because the challenged rulings were not independently appealable and would cause irreparable injury.

HOLDINGS

1. The district court manifestly abused its discretion by imposing an unjustified prior restraint on the Review-Journal's publication of the alleged victim's name. A prior restraint is justified only when the restrained activity poses a clear and present danger or serious and imminent threat to a protected competing interest, the order is narrowly drawn, and no less restrictive alternative is available; those requirements were not satisfied.
2. The district court violated the Review-Journal's First Amendment right of access to the criminal trial by ejecting and excluding it for refusing to submit to an unconstitutional publication restraint.
3. Mandamus relief was warranted because the district court's rulings were not independently appealable and, without intervention, would cause irreparable injury.

KEY QUOTATIONS

"[P]rior restraints on speech and publication are the most serious and the least tolerable infringement on First Amendment rights," (at 6)

"This court has held that a prior restraint or 'gag' order is justified only when '(1) the activity restrained poses either a clear and present danger or a serious and imminent threat to a protected competing interest, (2) the order is narrowly drawn, and (3) less restrictive alternatives are not available.'" (at 6)

"[T]he right to attend criminal trials is implicit in the guarantees of the First Amendment; without the freedom to attend such trials, which people have exercised for centuries, important aspects of freedom of speech and 'of the press could be eviscerated.'" (at 10)

FACTUAL BACKGROUND

During the criminal prosecution of Nathan Chasing Horse, the name of an alleged victim identified as S. Doe had been repeatedly disclosed in grand-jury transcripts, public filings, open court, and trial proceedings. The district court interpreted a media decorum order as prohibiting publication of the victim's name, threatened the Review-Journal with contempt if it published the name, and excluded the newspaper and its journalists from the courtroom when they refused to agree to the restriction. The district court did not appear to impose the same restriction on all persons who had heard or disclosed the victim's name.

PROCEDURAL HISTORY

The Eighth Judicial District Court restricted the media from publishing an alleged victim's name and excluded the Review-Journal and its journalists from the courtroom after they declined to comply. The Nevada Supreme Court exercised its original writ jurisdiction, entered an emergency order granting mandamus relief, and issued this opinion explaining that decision.

DISPOSITION

writ_granted

CASES CITED

- Chasing Horse v. Eighth Jud. Dist. Ct., 140 Nev., Adv. Op. 63, 555 P.3d 1205, 1209 (2024)
- L.V. Rev.-J., Inc. v. Eighth Jud. Dist. Ct., No. 92008, 2026 WL 236659 (Nev. Jan. 28, 2026)
- D.R. Horton, Inc. v. Eighth Jud. Dist. Ct., 123 Nev. 468, 475, 168 P.3d 731, 737 (2007)
- Johanson v. Eighth Jud. Dist. Ct., 124 Nev. 245, 248-49, 182 P.3d 94, 96 (2008)
- Pan v. Eighth Jud. Dist. Ct., 120 Nev. 222, 224, 228, 88 P.3d 840, 841, 844 (2004)
- L.V. Rev.-J. v. Eighth Jud. Dist. Ct., 134 Nev. 40, 43-46, 412 P.3d 23, 26-28 (2018)
- Cap. Cities Media, Inc. v. Toole, 463 U.S. 1303, 1304 (1983)
- Neb. Press Ass'n v. Stuart, 427 U.S. 539, 559 (1976)
- Talk of the Town Bookstore v. City of Las Vegas, 92 Nev. 466, 470, 553 P.2d 959, 961 (1976)
- Fla. Star v. B.J.F., 491 U.S. 524, 540-41 (1989)
- Foley v. Kennedy, 110 Nev. 1295, 1300, 885 P.2d 583, 586 (1994)
- Smith v. Daily Mail Publ'g Co., 443 U.S. 97, 106 (1979)
- S.O.C., Inc. v. Mirage Casino-Hotel, 117 Nev. 403, 415, 22 P.3d 243, 251 (2001)
- Okla. Publ'g Co. v. Dist. Ct., 430 U.S. 308 (1977)
- Cox Broad. Corp. v. Cohn, 420 U.S. 469, 494-95 (1975)
- Doe v. City of New York, 15 F.3d 264, 268 (2d Cir. 1994)
- McNally v. Pulitzer Publ'g Co., 532 F.2d 69, 77-78 (8th Cir. 1976)
- Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555, 580 (1980)
- Branzburg v. Hayes, 408 U.S. 665, 681 (1972)
- Stephens Media, LLC v. Eighth Jud. Dist. Ct., 125 Nev. 849, 859, 221 P.3d 1240, 1247 (2009)
- Press-Enter. Co. v. Super. Ct. of Cal., 464 U.S. 501, 510 (1984)

- *Globe Newspaper Co. v. Super. Ct. for Norfolk Cnty.*, 457 U.S. 596, 607-10 (1982)

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