

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Otis Holland v. John Henley, et al.

Holland · No. 2:25-cv-00379-RFB-MDC · Decided November 26, 2025

SUMMARY

The United States District Court for the District of Nevada partially grants and partially denies Respondents’ motion to seal the case in a habeas corpus action. The Court also grants nunc pro tunc Respondents’ motions for extensions of time and allows 45 days after entry of the order to respond to the petition.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 DISTRICT OF NEVADA 6 * * * 7 OTIS
HOLLAND, 8 Petitioner, Case No. 2:25-cv-00379-RFB-MDC 9 v. ORDER 10 JOHN HENLEY,
et al., 11 Respondents. 12 13 This habeas corpus action was initiated by Otis Holland, who is
represented by counsel, on 14 February 28, 2025, when he filed a petition for a writ of habeas
corpus (ECF No. 1) and supporting 15 exhibits (ECF No. 2).

Respondents were originally due to file a response to Holland’s habeas 16 petition by August 4,
2025. See ECF No. 5. The Court later extended that deadline by 45 days, to 17 September 18. See
ECF No. 8. 18 On September 10, Respondents filed a motion to seal case, requesting relief from
the 19 requirements of Local Rule IC 6-1, and requesting “leave of this court for the parties to file
all 20 documents and exhibits in this case, current and future, unredacted and under seal pursuant
to LR 21 IA 10-5.” ECF No. 9.

Respondents state: 22 This case involves a former pastor who sexually assaulted several minors
over a period of time. Both the names of the minor victims (at least three) and additional 23
potential victims and minor witnesses (at least ten at last count), pervade the record.

In addition to the minor[s’] names, birthdates and addresses are also throughout the 24 record and
may be relevant to these proceedings. 25 Id. at 1. In a footnote, Respondents add: 26 Due to the
cyberattack on the State of Nevada on August 24, 2025, the undersigned has been unable to access
his shared drives or databases to obtain additional case- 27 specific information for this motion.

This issue was compounded by the State issues 1 Id. at 1 n.1. Respondents’ counsel represents that
Holland does not oppose the motion to seal case. 2 See id. at 2. 3 While there is a strong
presumption in favor of public access to judicial filings and while 4 courts prefer that the public
retain access them, see *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 5 589, 597 (1978), a court may
seal its records if a party demonstrates “compelling reasons” to do 6 so.

See *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178–79 (9th Cir. 2006). 7 “Compelling reasons” exist where the records could be used for improper purposes. See *id.* at 1179 8 (citing *Nixon*, 435 U.S. at 598).

Under Local Rule IC 6-1, a party is generally required to redact 9 from filed documents: names of minor children, dates of birth, and home addresses. See LR IC 6- 10 1(a)(2), (3) and (5). Local Rule IA 10-5 sets out this Court’s procedures for parties to seek leave 11 of court to file documents under seal. And Local Rule IA 1-4 states: “The court may sua sponte or 12 on motion change, dispense with, or waive any of these rules if the interests of justice so require.” 13 Respondents do not make a showing of compelling reasons to file the entire state court 14 record under seal, much less to file “all documents” under seal.

The Court determines that such 15 wholesale sealing of documents in this case would impinge upon the public’s access to judicial 16 filings and could also cause undue delay and unnecessarily hamper the litigation of this case. 17 Respondents do not show that every document to be filed in this case will contain information that 18 should be sealed. And Respondents do not show a compelling reason to file under seal material 19 that was filed unsealed in state court and is already available to the public.

The Court will grant 20 Respondents’ motion in part and deny it in part. The Court will require the Parties to file documents 21 in this case as follows: 22 • Items filed under seal in state court must be filed under seal as in state court. 23 • Items filed unsealed in any state court must be filed unsealed, and redacted (or not redacted) as in the state court.

24 • With respect to items not filed in state court, the Parties must comply with LR IC 6-1, LR 25 IA 10-5, and all other local rules of this Court. 26 • With respect to the exhibits already filed by Holland (at ECF No. 2), any party may file a motion requesting redaction or sealing of any of those exhibits. 27] On September 18, Respondents filed a second motion for extension of time to respond to 2 || Holland’s Petition, requesting a further 21-day extension to October 9.

See ECF No. 10. And, on 3 || October 9, Respondents filed a third motion for extension of that deadline, requesting that the 4 || deadline be extended to 30 days after the Court resolves the motion to seal case. See ECF No. 11. 5 || In view of the problems with the State’s computer system and the need to resolve the motion to 6 || seal case before Respondents can fully respond to the habeas petition, the Court finds that the 7 || further motions for extension of time are made in good faith and not solely for the purpose of 8 || delay, and that there is good cause for the requested extensions.

The Court will grant Respondents 9 || an extension longer than the extension they request; this is to allow Respondents time to comply 10 || with this Order, with respect to the filing of the state-court record and other documents, before 11 || filing their response to the Petition. 12 Therefore,

IT IS HEREBY ORDERED that Respondents' Motion to Seal Case (ECF No. 13 || 9) is GRANTED IN PART and DENIED IN PART, as explained above.

14 IT IS FURTHER ORDERED that Respondents' motions for extension of time (ECF Nos. 15 || 10, 11) are GRANTED nunc pro tunc. Respondents will have 45 days after this Order is entered 16 || to file an answer or other response to the Petition. DATED: November 26, 2025. AS 19 RICHARD F. BOULWARE, II, UNITED STATES DISTRICT JUDGE 21 22 23 24 25 26 27 28