

SUPREME COURT OF NEVADA

Gregory Burns v. Eighth Judicial District Court of the State of Nevada, in and for the County of Clark; Maria Gall, District Judge; Jane Doe, Real Party in Interest

142 Nev. Adv. Op. No. 8 (2026) · No. No. 89998 · Decided January 29, 2026

SUMMARY

The Supreme Court of Nevada denied Gregory Burns's petition for a writ of mandamus challenging an order permitting Jane Doe to litigate a sexual-assault tort action under a pseudonym. The court adopted a balancing standard under which a party may proceed pseudonymously when the need for anonymity outweighs prejudice to the opposing party and the public interest in disclosure. The court concluded that the district court did not manifestly abuse its discretion and denied Doe's request for sanctions.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Bell, J.; Herndon, C.J.; Pickering, J.; Parraguirre, J.; Stiglich, J.; Cadish, J.; Lee, J.
JURISDICTION	Supreme Court of Nevada
DECIDED	January 29, 2026
DOCKET	No. 89998
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Original petition for a writ of mandamus challenging a district court order denying Burns's motion to preclude Jane Doe from proceeding under a pseudonym in a tort action.
STANDARD OF REVIEW	Mandamus relief is discretionary and will not issue to control discretionary action unless the district court manifestly abused its discretion or acted arbitrarily or capriciously. A manifest abuse of discretion is a clearly erroneous interpretation or application of law.
PRECEDENTIAL VALUE	Published precedential opinion; decided en banc.

PARTIES

Gregory Burns v. Eighth Judicial District Court of the State of Nevada,
in and for the County of Clark, Maria Gall, District Judge, Jane Doe,
Real Party in Interest

TOPICS

writ of certiorari

civil procedure

appellate procedure

remedies

first amendment

PRACTICE AREAS

civil procedure

appellate procedure

constitutional law

remedies

QUESTIONS PRESENTED

1. What standard governs whether a party may proceed under a pseudonym in Nevada civil litigation?
2. Did the district court manifestly abuse its discretion by applying the Ninth Circuit's balancing framework and permitting Jane Doe to proceed under a pseudonym?
3. Did the district court improperly consider Burns's delay in objecting to Doe's anonymity?
4. Did the district court improperly shift the burden to Burns or require insufficient evidence from Doe?
5. Did Doe's prior disclosure of her legal identity in another action or an inadvertent filing preclude her from proceeding under a pseudonym?
6. Were sanctions warranted against Burns under NRAP 38?

HOLDINGS

1. A party may proceed pseudonymously when the party's need for anonymity outweighs prejudice to the opposing party and the public's interest in knowing the party's identity.
2. Courts should consider, as appropriate, the nonexhaustive factors of the severity of threatened harm, reasonableness of the anonymous party's fears, vulnerability to retaliation, prejudice to the opposing party, and the public interest.
3. A party seeking to proceed anonymously must seek leave of court before doing so; when the party has not obtained prior approval, the opposing party has the responsibility to object and bring the issue to the district court's attention.
4. The district court did not improperly shift the burden by requiring Burns to identify specific prejudice, and under the circumstances of this case Doe was not required to submit an affidavit or additional evidence because the sensitive nature of the sexual-assault allegations made the privacy interest evident.
5. A prior disclosure of a party's legal name, including disclosure by the opposing party in another action, does not categorically preclude the party from proceeding under a pseudonym in the present litigation.
6. Mandamus relief was unwarranted because the district court did not manifestly abuse its discretion in permitting Doe to proceed under a pseudonym.

7. Sanctions were not warranted because Burns's current petition presented a discrete issue unrelated to his earlier writ petition and Nevada law does not categorically prohibit multiple writ petitions.

KEY QUOTATIONS

"We hold a party may proceed pseudonymously when that party's need for anonymity outweighs prejudice to the opposing party and the public's interest in knowing the party's identity." (1)

"Courts should balance factors from the following nonexhaustive list: "(1) the severity of the threatened harm, (2) the reasonableness of the anonymous party's fears, ... (3) the anonymous party's vulnerability to such retaliation, (4) the prejudice to the opposing party, and (5) the public interest."" (9)

"The district court did not manifestly abuse its discretion when it allowed Doe to proceed pseudonymously." (15)

FACTUAL BACKGROUND

Jane Doe filed a Nevada tort action against Gregory Burns alleging sexual battery, negligence, negligent infliction of emotional distress, and intentional infliction of emotional distress arising from an alleged sexual assault. Doe filed under a pseudonym without first seeking court authorization. After approximately twenty-seven months of litigation, Burns moved to require Doe to use her legal name; the district court permitted Doe to continue anonymously, finding that the sensitive nature of the allegations and the interests in protecting her dignity and encouraging other victims to come forward outweighed the speculative prejudice identified by Burns.

PROCEDURAL HISTORY

Jane Doe sued Gregory Burns in Nevada state court under a pseudonym for sexual assault-related tort claims without first seeking leave to proceed anonymously. After more than two years of litigation, including Burns's unsuccessful attempt to remove the action to federal court, Burns moved to require Doe to proceed under her legal name, and Doe filed a countermotion seeking authorization to continue under a pseudonym. The district court granted Doe's countermotion, and Burns petitioned the Nevada Supreme Court for mandamus relief. The Nevada Supreme Court exercised original jurisdiction, adopted a pseudonym-use balancing standard, and denied the petition.

DISPOSITION

writ_denied

CASES CITED

- Int'l Game Tech., Inc. v. Second Jud. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008)
- Round Hill Gen. Improvement Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981)
- Cotter v. Eighth Jud. Dist. Ct., 134 Nev. 247, 249, 416 P.3d 228, 232 (2018)
- State v. Eighth Jud. Dist. Ct. (Armstrong), 127 Nev. 927, 932, 267 P.3d 777, 780 (2011)
- Pan v. Eighth Jud. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004)

- Smith v. Eighth Jud. Dist. Ct., 107 Nev. 674, 677, 818 P.2d 849, 851 (1991)
- Washoe Med. Ctr. v. Second Jud. Dist. Ct., 122 Nev. 1298, 1301, 148 P.3d 790, 792 (2006)
- Canarelli v. Eighth Jud. Dist. Ct., 138 Nev. 104, 106, 506 P.3d 334, 337 (2022)
- Helfstein v. Eighth Jud. Dist. Ct., 131 Nev. 909, 912, 362 P.3d 91, 94 (2015)
- Falconi v. Eighth Jud. Dist. Ct., 140 Nev. 79, 543 P.3d 92 (2024), cert. denied, Minter v. Falconi, 145 S. Ct. 445 (2024)
- N.Y. Times Co. v. Second Jud. Dist. Ct., 141 Nev., Adv. Op. 71, P.3d (2025)
- Does I thru XXIII v. Advanced Textile Corp., 214 F.3d 1058, 1063, 1068, 1072 (9th Cir. 2000)
- Doe v. Kamehameha Schs./Bernice Pauahi Bishop Est., 596 F.3d 1036, 1042 (9th Cir. 2010)
- James v. Jacobson, 6 F.3d 233, 238-42 (4th Cir. 1993)
- Doe v. Stegall, 653 F.2d 180, 185-86 (5th Cir. 1981)
- Porchia v. City of Las Vegas, 138 Nev. 29, 33, 504 P.3d 515, 520 (2022)
- Unwitting Victim v. C.S., 47 P.3d 392, 396-99 (Kan. 2002)
- Sealed Plaintiff v. Sealed Defendant #1, 537 F.3d 185, 189-90 (2d Cir. 2008)
- Doe G v. Dep't of Corr., 410 P.3d 1156, 1163 (Wash. 2018)
- K.M. v. Zavaras, 139 F.3d 798, 803 (10th Cir. 1998)
- Doe v. Frank, 951 F.2d 320, 323-24 (11th Cir. 1992)
- Santa Ana Police Officers Ass'n v. City of Santa Ana, 330 Cal. Rptr. 3d 407, 414 (Ct. App. 2025)
- A.B. v. Hilton Worldwide Holdings Inc., 484 F. Supp. 3d 921, 945 (D. Or. 2020)
- Brunzell v. Golden Gate Nat'l Bank, 85 Nev. 345, 350, 455 P.2d 31, 33 (1969)
- Martinez v. Martinez, 140 Nev., Adv. Op. 73, 559 P.3d 863, 869 (2024)
- State ex rel. Dep't of Transp. v. Thompson, 99 Nev. 358, 362, 662 P.2d 1338, 1340 (1983)