26-5825

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

JEREMY J. HERRMANN,
Petitioner,

v.

KELLY N. HERRMANN,
Respondent.

On Petition for a Writ of Certiorari
to the Supreme Court of Pennsylvania

PETITIONER'S SUPPLEMENTAL BRIEF UNDER SUPREME COURT RULE 15.8

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TABLE OF CONTENTS

Intervening Matter	3
The New Order Is Material to the Existing Question Presented	3
The New Order Exposes Materially Different Official Accounts	4
The New Order Confirms the Jurisdictional Trap Identified in the Petition	4
Conclusion	5
Appendix A - Nevada District Court Order Entered July 23, 2026	App. 1a

TABLE OF CITED AUTHORITIES

U.S. Const. amend. XIV	2, 4
Nev. Rev. Stat. § 125A.275	2, 4
Sup. Ct. R. 15.8	1

INTERVENING MATTER

Pursuant to Supreme Court Rule 15.8, Petitioner submits a narrow supplemental brief calling attention to an intervening order entered after his petition for a writ of certiorari was prepared and mailed. On July 23, 2026, the Second Judicial District Court of Nevada entered an order granting limited clarification concerning the April 2024 UCCJEA court-to-court communication. App. 1a-13a. This filing does not present a new question and does not ask this Court to review the July 23 order as a separate judgment. It identifies an official, intervening clarification that bears directly on the federal due-process question already presented.

The July 23 order states that the interstate conference occurred off the record and that no notes, memoranda, minute entries, emails, logs, calendar entries, chamber notes, clerk notes, or other memorialization exists. App. 10a. The court recalls that the Pennsylvania court telephoned Nevada chambers, that the judges discussed residence, and that, 'as such,' the Nevada court relinquished jurisdiction to Pennsylvania. Ibid. The court then denied the remainder of Petitioner's request to settle and correct the record on res judicata grounds. Ibid.

THE NEW ORDER IS MATERIAL TO THE EXISTING QUESTION PRESENTED

The petition asks whether the Fourteenth Amendment permits an interstate custody forum to be selected and enforced through an unrecorded judge-to-judge process, without a meaningful pre-decision opportunity for the affected parent to present jurisdictional facts and legal argument. The new order is material because it confirms, in an official Nevada ruling, that the communication was substantive enough to precede Nevada's relinquishment of jurisdiction, yet no retrievable record of the communication exists. App. 10a.

Nevada's UCCJEA safeguard requires a record of a non-administrative inter-court communication, prompt notice to the parties, access to the record, and an opportunity to present facts and legal arguments before a jurisdiction decision when the parties cannot participate. Nev. Rev. Stat. § 125A.275. The July 23 order confirms that the central communication cannot now be examined to

determine what was said, whether Pennsylvania agreed to assume jurisdiction, whether either court identified a statutory basis, or whether Petitioner received the required pre-decision opportunity.

This is not a request to reweigh custody evidence. The intervening order bears on the process by which Pennsylvania became the operative forum and on whether that process was transparent, participatory, and reviewable before the Pennsylvania merits trial proceeded.

THE NEW ORDER EXPOSES MATERIALLY DIFFERENT OFFICIAL ACCOUNTS

The operative 2024 Nevada order stated that, after conferring with Pennsylvania, 'it was agreed' that Pennsylvania had assumed jurisdiction. The Nevada appellate order later repeated that the conference was properly held and that 'it was agreed' Pennsylvania had assumed jurisdiction. Those descriptions were incorporated into the record considered by the Pennsylvania courts and by the petition now pending.

The July 23, 2026 order is materially different. It does not state that Pennsylvania agreed to assume jurisdiction. It states that Pennsylvania called Nevada chambers, the judges discussed the parties' and children's residence, and, '[a]s such, the Nevada Court relinquished jurisdiction to Pennsylvania.' App. 10a. The careful point is not that the new order expressly says Nevada acted alone; it does not use those words. The point is that the new official account attributes the dispositive act to Nevada and omits the previously repeated premise of an interstate agreement.

That difference matters because Pennsylvania treated Nevada's relinquishment as binding and said challenges to the propriety of the conference belonged in Nevada. The Pennsylvania trial-court account also described Nevada as acting sua sponte and stated that there was no jurisdictional 'swap.' The July 23 clarification therefore sharpens, rather than resolves, the conflict over what the interstate communication actually accomplished.

THE NEW ORDER CONFIRMS THE JURISDICTIONAL TRAP IDENTIFIED IN THE PETITION

Pennsylvania's appellate court reasoned that it was bound by Nevada's relinquishment and that any defect in the Nevada conference had to be raised in Nevada. Petitioner then returned to Nevada seeking the record or a settled statement of the communication. Nevada has now confirmed that no record or memorialization exists, while denying the remainder of the record-settlement request as already adjudicated. App. 10a.

The result is the precise jurisdictional trap described in the petition: Pennsylvania points to Nevada as the court that had to correct the interstate process; Nevada points to prior appellate finality; and no court has produced a record showing what Pennsylvania said, whether the states agreed, or whether Petitioner was heard before the forum changed. Meanwhile, the Pennsylvania custody regime continues to operate from the forum created through that process.

The intervening order therefore strengthens the petition's vehicle argument. The federal question does not depend on disputed custody facts. It arises from official orders that now provide materially different descriptions of the jurisdictional handoff while confirming that the communication itself is unrecorded and cannot be reviewed.

CONCLUSION

The Court should consider the July 23, 2026 Nevada order in deciding the pending petition for a writ of certiorari. The order confirms the absence of any record of the dispositive interstate communication and materially changes or clarifies the previously asserted premise that the two states agreed Pennsylvania would assume jurisdiction. The petition should be granted.

Respectfully submitted,

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CODE:

IN THE FAMILY DIVISION

OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

KELLY HERRMANN,

Plaintiff,

v.

JEREMY HERRMANN,

Defendant.

_____/

Case No. DV21-01770

Dept. No. 12

ORDER

Presently before the Court are the following:

First, is Mr. Herrmann's Motion to Lift Abeyance and Set Hearing on Outstanding Property Issues ("Abeyance Motion") filed March 10, 2026. Ms. Herrman was served with the Abeyance Motion on March 10, 2026, and filed her Opposition on May 17, 2026. On May 18, 2026, Mr. Herrmann filed his Reply to Plaintiff's Opposition to Motion to Lift Abeyance and Set Hearing. Mr. Herrmann filed a Request for Submission of Specific Pending Motions; Application for Limited Immediate Hearing; and Affidavit/Declaration in Support on June 12, 2026.

Second is Defendant Jeremy Herrmann's ("Mr. Herrmann") Defendant's *Motion to Settle and Correct the Record Regarding the April 26, 2024 UCCJEA Court-to-Court Communication, to Approve a Statement of the Evidence or Proceedings, and to Direct Inclusion of that Settled Record in the District Court Record.* ("UCCJEA Motion 1"), filed on April 27, 2026. Mr. Herrman filed a second *Defendant's Motion to Settle and Correct the Record Regarding the April 26, 2024 UCCJEA Court-to-Court Communication* ("UCCJEA Motion 2") on May 8, 2026. Ms. Herrmann was notified of the filing by eFlex, but as Mr. Herrmann clicked the "sealed" button at the time of

filing, was unable to access the filing. The Court entered an Order lowering the security level of Mr. Herrmann's document on May 11, 2026. Ms. Herrmann filed her *Opposition to Motion to Settled and Correct the Record* ("Opposition to Motion to Settle") on May 17, 2026. Mr. Herrmann filed a Request for Submission of Specific Pending Motions; Application for Limited Immediate Hearing; and Affidavit/Declaration in Support on June 12, 2026.

Third, is Mr. Herrmann's *Motion to Unseal Court Records, or in the Alternative, for Document by Document Findings, and Request for Hearing* ("Seal Motion"), filed on April 30, 2026. Ms. Herrmann was notified of the filing by eFlex, but as Mr. Herrmann clicked the "sealed" button at the time of filing, was unable to access the filing. The Court entered an Order lowering the security level of Mr. Herrmann's document on May 11, 2026. Ms. Herrmann filed her *Opposition to Motion to Unseal Records* ("Seal Opposition") on May 17, 2026. Mr. Herrman filed his *Reply in Support of Motion to Unseal Court Records, Response to Opposition, and Opposition to Vexatious Litigant or Sanction Threat* ("Seal Reply") on May 18, 2026, and filed a Request for Submission of Specific Pending Motions; Application for Limited Immediate Hearing; and Affidavit/Declaration in Support on June 12, 2026.

Fourth is Mr. Herrmann's *Defendant's Motion for Clarification, Reconsideration, Correction of Record, order Requiring the UCCJEA Record, Leave to Cure any Technical Filing Defect, and Order Unsealing or Lowering the Security Level of the April 30, 2024 Orders and Complete Record* ("Clarification Motion") on May 11, 2026. Ms. Herrmann was notified of the filing by eFlex, but as Mr. Herrmann clicked the "sealed" button at the time of filing, was unable to access the filing. The Court entered an Order lowering the security level of Mr. Herrmann's document on May 11, 2026. Ms. Herrmann filed her filed her *Opposition to Motion for Clarification* ("Clarification Opposition") on May 17, 2026. On May 18, 2026, Mr. Herrman filed his *Reply to Plaintiff's Opposition to Motion for Clarification and Request for Limited Hearing/Limited Unsealing of April 30, 2024 Orders and April 26, 2024 UCCJEA Record* ("Clarification Reply"). Mr. Herrmann filed a Request for Submission of Specific Pending Motions; Application for Limited Immediate Hearing; and Affidavit/Declaration in Support on June 12, 2026.

Finally, Mr. Herrmann filed a *Request for Submission of Specific Pending Motions; Application for Limited Immediate Hearing; and Affidavit/Declaration in Support* ("RFS") on June 12, 2026. As this filing contains additional averments, the Court will address this filing in the Order.

Abeyance Motion

In the Abeyance Motion, Mr. Herrmann states the Court entered an order vacating a status hearing and stating the issues "regarding Mr. Herrmann's Chevy pickup truck, tools, and log splitter raised in OSC Motion #1" would be held in abeyance pending the outcome of Mr. Hermann's appeal.[1] Mr. Herrmann states as the appeal is concluded, this Court should lift the abeyance and resolve the outstanding property issues.

Mr. Herrmann requests the Court address more than the Chevy Pickup Truck, tools and a log splitter raised in his original 2023 Motion to include: (1) Chevy pickup truck parts and associated property; (2) tools and toolboxes; (3) log splitter; (4) air compressor; (5) personal tools and equipment; and, (6) military medals and documents. Mr. Herrmann states during a video call with the children, he observed his military medals were in possession of the child in Pennsylvania.

Mr. Herrmann further requests the Court's assistance in determining the disposition of a camper the Court authorized Ms. Herrmann to sell and divide the proceeds of.

Mr. Herrmann requests the Court enter a monetary judgment in the amount of $22,000 for the property he is asserting was not returned to him.

In the Abeyance Opposition, Ms. Herrmann states Mr. Herrmann demonstrated unreasonable delay taking action and offers no justification or good cause for allowing this matter to sit dormant for nearly a year and a half after the appeal was concluded.

Ms. Herrmann states several of the items have been previously addressed in the Court's November 29, 2022 Order After Continued Status Hearing, awarding Mr. Herrmann $1,050 for his

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[1] The Court notes there is no Order entered in the District Court case on June 14, 2023. Review of the record shows on March 6, 2023, it entered its *Order Denying Motions for Order to Show Cause; Order Setting Status Hearing; Order Denying Motion to Set Aside Default Judgment*, setting a status hearing to address Mr. Herrmann's Chevy pickup truck, tools, and the new log splitter. Mr. Herrmann filed an appeal on March 6, 2023, and as such, the Court was divested of jurisdiction as Mr. Herrmann was appealing the March 6, 2023 Order. The Court of Appeals entered its Order Dismissing Appeal in Part and Affirming in Part on February 8, 2024.

one-half share of the old log splitter, sale of the toolbox, air compressor and Mary Kay products, and that Order also addresses sending Mr. Herrmann's military and medical documents directly to him.

Ms. Herrmann states the Chevy truck and log splitter were left at the location they were to be retrieved from even after she relocated to Pennsylvania in June of 2023 providing Mr. Herrmann with "at least" an additional six months' time to retrieve his property.[2] Ms. Herrmann states she cannot be compelled to specify the location of or retrieve the items because their current location is unknown as it has been early three years since she resided in Susanville, California.

In the Abeyance Reply, Mr. Herrmann states if the property issues were fully resolved Ms. Herrmann should be able to identify what was returned, what was sold, what proceeds were divided, what compensation was paid and what remains unavailable. Mr. Herrmann states he is not seeking to relitigate issues already decided; he seeks to lift the abeyance "because the Court placed the property dispute in abeyance pending appeal instead of finally resolving the remaining property issues." Mr. Herrmann is requesting an accounting, sworn testimony and findings concerning property order returned or sold; property that was not made available; and compensation or enforcement relief for property that cannot now be returned.

UCCJEA Motion

In the UCCJEA Motion 1, Mr. Herrmann states Nevada Rules of Appellate Procedure govern statements of the evidence or proceedings when a hearing or proceeding was not officially recorded or when a transcript is unavailable; the rule permits correction or modification of the record when anything material is omitted or misstated. Mr. Herrmann states the April 30, 2024 Order continues to be relied upon in collateral proceedings and that continued delay was causing ongoing and immediate prejudice. Mr. Herrmann believes the accuracy and completeness of the record concerning the court-to-court communication remains material and reviewable. Mr. Herrmann states the record remains incomplete and unsettled as to what actually occurred in the

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[2] The Court notes the November 29, 2022 Order After Continued Status Hearing states on page 11, "If Mr. Herrmann does not retrieve the items within the next 60 days or request Ms. Herrmann to sell the items on his behalf within that period of time, Ms. Herrmann is authorized to sell the items, deduct the cost of towing the vehicles, and remit the remaining funds to Mr. Herrmann."

April 26, 2024 court-to-court communication, whether any notes, minutes, memorialization or other record exists, whether the communication was administrative or substantive, and whether the procedure complied with NRS 125A.275.

In the UCCJEA Motion 2, Mr. Herrmann requests the Court identify and produce any existing record, notes, memorandum, minute entry, email, log, calendar entry, chamber note, clerk note, or other memorialization of that communication; approve a statement of the evidence or proceedings concerning the unrecorded communication; clarify whether the communication was administrative or substantive; and, direct that the settled statement and any related memorialization be included in the district court record and any related appellate record.

Mr. Herrmann states that Pennsylvania treated the Nevada order as the operative relinquishment order and that because Pennsylvania treated the Nevada Order as controlling, this Court remains the proper court to settle what occurred during the communication.

Mr. Herrmann requests this Court "settle and correct the record" and that NRS 125A.275 requires that a record must be made of a communication between courts. Mr. Herrmann further states the law requires if the parties are not able to participate in the communication, they must be given the opportunity to present facts and legal arguments before a decision on jurisdiction is made.

In the UCCJEA Opposition, Ms. Herrmann states the Court should deny Mr. Herrmann's motions "because they represent an improper attempt to relitigate an issue that this court has already decided." Ms. Herrmann states Mr. Herrmann has exercised his right to appeal in another attempt to relitigate an issue that has already been disposed of by multiple jurisdictions. Ms. Herrmann points out the Supreme Court of Nevada affirmed jurisdiction resides in Pennsylvania on September 20, 2024 in its Order of Affirmance, and states that more recently, the Superior Court of Pennsylvania affirmed jurisdiction on March 13, 2026.

Seal Motion

In Mr. Herrmann's Seal Motion, he asks the Court unseal the record, or in the alternative, the Court conduct a document-by-document review and enter written findings identifying each record or portion of a record that remains sealed, the specific legal basis for continued sealing, why redaction is insufficient, and why continued sealing is narrowly tailored. Mr. Herrmann states he is

not seeking public disclosure of the children's private information, or to expose medical records, school records, social security numbers, dates of birth, protected addresses, financial disclosures, or confidential child-related information. Mr. Herrmann states he is seeking access to the public judicial record; pleadings, motions, orders, hearing notices, docket entries, jurisdictional rulings, proofs of service, and other nonconfidential court records.

In the Seal Opposition, Ms. Herrmann states Mr. Herrmann is ignoring the reason the file was sealed – to protect his unredacted Social Security Number from public exposure.

Ms. Herrmann states Mr. Herrmann's motion rests on the expectation the Court should assume the administrative burden of auditing the entire case file, to conduct a document by document, line by line review to "identify, justify and execute necessary redactions." Ms. Herrmann states that if Mr. Herrmann believes specific portions of the litigation should be public record, he must bear the burden of reviewing the file, extracting the specific documents to be disclosed, applying mandatory redactions and submitting clean copies.

In the Seal Reply, Mr. Herrmann reiterates the claims in his Motion stating he is asking for access to the public judicial records. Mr. Herrmann states "Nevada public-access law and due process require more than a blanket statement that the matter has already been litigated" and believes if the record remains sealed, the Court must identify the specific sealing order, the specific records kept sealed, the compelling interest supporting continued sealing, why redaction is insufficient, and why less restrictive alternatives cannot protect legitimate privacy concerns.

Clarification Motion

In the Clarification Motion, Mr. Herrmann seeks "clarification, reconsideration, correction of the record, an order requiring production or settlement of the record of the April 26, 2024 UCCJEA court-to-court communication, leave to cure any technical filing defect, and an order unsealing or lowering the security level of the April 30, 2024 Orders and the complete record so both parties have equal access and so the record is available for judicial accountability."

Mr. Herrmann states the Motion is necessary because the Court's May 11, 2026 order "faults" Mr. Herrmann for filing documents under a sealed designation even though the Order itself acknowledges the filed has been sealed by the Court.

Mr. Herrmann seeks the Court to clarify:

(1) Who sealed the complete record? By what filing, request or order, and on what date?

(2) Was there a hearing before the complete record was sealed? If so, when? If not, what statutory basis allowed sealing without a hearing?

(3) Where is the sealing order or written request that cause the complete record to be sealed?

(4) What eFlex designation must a pro se litigant use when filing into a court-sealed domestic relations record: sealed, confidential, or another setting?

(5) When was Defendant told that selecting "sealed" in a sealed case would prevent Plaintiff from viewing the document?

(6) Does the Court find that Defendant intentionally concealed filings from Plaintiff, or was the issue an eFlex security-level issue in a sealed case?

(7) Does the Court find Defendant failed service despite stated service methods? If so, what specific proof or certificate of service is deficient and how may Defendant cure it?

(8) Why does Plaintiff receive a renewed response period if Defendant served Plaintiff by eFlex, email, mail or other stated service methods?

(9) Whether the Court will clarify or withdraw the vexatious litigant/sanctions warning to the extent it was based on a disputed eFlex designation rather than bad faith.

(10) Whether the April 30, 2024 Order Finding Motion Moot; Sua Sponte Order Regarding Jurisdiction and the April 30, 2024 Order After Hearing on Enforcement will be immediately unsealed or lowered to equal party access because those orders concern jurisdiction, admitted relocation, and judicial accountability.[3]

In the Clarification Opposition, Ms. Herrmann states Mr. Herrmann's Motion is "nothing more than a thinly veiled attempt to re-argue positions this Court has already considered and rejected." Ms. Herrmann states the purpose of a motion for clarification is to rectify an ambiguity or uncertainty in a court's ruling so the parties can properly comply.

[3] The Court notes the pleadings, the findings of the court, any order made on motions and the judgment is open for public inspection.

In the Clarification Reply, Mr. Herrmann reiterates the claims in his Motion and requests the Court set a hearing for limited unsealing or production, subject only to legally required redactions, of the specific jurisdictional records necessary to understand how Nevada gave practical custody control to Pennsylvania.

Mr. Herrmann states his belief the Court has kept two April 30, 2024 orders and the April 26, 2024 UCCJEA communication records hidden from review, and believes a hearing is necessary before the Court denies limited access or maintains blanket sealing.

RFS

In Mr. Herrmann's RFS, he states his request is not asking the district court to vacate, reverse or reconsider the April 30, 2024 jurisdiction order while that order is already under appellate review, but is requesting submission and rulings on the motions that seek collateral relief: access to judicial records, clarification of what UCCJEA record exists; limited unsealing/redaction, property-abeyance issues and rejection of sanction or vexatious litigant restrictions.[4]

Mr. Herrmann sets forth his reasoning for why he believes a limited "immediate" hearing is needed, stating he has not seen his children in more than two years and has not spoken with them in more than one year; and his belief he is facing "continuing prejudice" from related Pennsylvania proceedings.

Mr. Herrmann asserts his filing is not intended to harass Ms. Herrmann, but because he has not seen or spoken with the children; the "record access; UCCJEA record sealing; property and parent-child contact issues remain unresolved.

Mr. Herrmann contends Ms. Herrmann's violation of the Decree's California relocation structure and the later treatment of the violation are directly relevant to the record-access, clarification and limited hearing issues.

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[4] The Court notes there is no Order declaring Mr. Herrmann a vexatious litigant in the district court case.

Law

UCCJEA:

NRS 125A.275 Communication between courts.

1. A court of this state may communicate with a court in another state concerning a proceeding arising pursuant to the provisions of this chapter.

2. The court may allow the parties to participate in the communication. If the parties are not able to participate in the communication, the parties must be given the opportunity to present facts and legal arguments before a decision on jurisdiction is made.

3. Communication between courts concerning schedules, calendars, court records and similar matters may occur without informing the parties. A record need not be made of the communication.

4. Except as otherwise provided in subsection 3, a record must be made of a communication pursuant to this section. The parties must be informed promptly of the communication and granted access to the record.

5. For the purposes of this section, "record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Clarification:

A court has "inherent power to construe its judgments and decrees for the purpose of removing any ambiguity." *Kishner v. Kishner*, 93 Nev. 220, 225, 562 P.2d 493, 496 (1977). Clarification of an ambiguous judgment involves the court defining the rights that have already been awarded to the parties, while modification alters the parties' substantive rights. *Mizrachi v. Mizrachi*, 132 Nev. 666, 674, 385 P.3d 982, 987 (2016).

The Nevada Supreme Court explicitly recognizes motions for clarification as a procedurally proper vehicle to seek explanation of a Court's prior order. *See, e.g. Bronneke v. Martin Rutherford*, 120 Nev. 230, 234, 89 P.3d 40, 43 (2004); *see also State v. Eighth Judicial District Court*, 116 Nev. 374, 377, 997 P.2d 126, 129 (2000). NRCP 60 also specifically provides that the Court may correct its record on motion or on its own, with or without notice. NRCP 60(a).

Order

Abeyance Motion

The Court **DENIES** the Motion although it finds the issue of the Chevy truck, tools and new log splitter were never finally adjudicated by this Court as Mr. Herrmann filed an appeal divesting

the Court of jurisdiction and necessitating the Court vacate the status hearing set to address the issue. However, this Court relinquished jurisdiction to Pennsylvania on April 30, 2024. Accordingly, if Mr. Herrmann wishes to proceed with enforcement, he must file the appropriate documents in the Pennsylvania matter.

UCCJEA

The Court **GRANTS** clarification of the *Order Finding Motion Moot; Susa Sponte Order Regarding Jurisdiction* and provides the following statement:

"*The Court acknowledges the UCCJEA conference occurred off the record. There are no notes, memorandum, minute entries, emails, logs, calendar entries, chamber notes, clerk notes, or other memorialization of that communication. The Court recalls it received a telephone call from the Pennsylvania court to Judge's chambers, Judge was not currently on the bench and took the call, and the two Courts discussed the fact that at the time of the call neither party nor the children resided in Nevada. As such, the Nevada Court relinquished jurisdiction to Pennsylvania, where the children resided and had been residing for more than six months prior to the communication.*

Mr. Herrmann appealed the Court's decision to transfer jurisdiction to Pennsylvania and filed his Notice of Appeal on April 30, 2024.[5] *On July 15, 2024, the Nevada Supreme Court transferred the case to the Nevada Court of Appeals. On September 24, 2024, the Nevada Court of Appeals affirmed the District Court's order relinquishing jurisdiction, finding the district court properly determined that Nevada lost continuing, exclusive jurisdiction over the parties' child custody dispute as the parties and the children no longer resided in Nevada.*"

The Court **DENIES** the remainder of *Defendant's Motion to Settle and Correct the Record Regarding the April 26, 2024 UCCJEA Court-to-Court Communication, to Approve a Statement of the Evidence or Proceedings, and to Direct Inclusion of that Settled Record in the District Court Record.* The Court finds Mr. Herrmann is raising the issue *res judicata*, as the Nevada Court of Appeals has already heard the issue and affirmed the Court's Order.

Sealing of the File

The Court **GRANTS** clarification of its Order Sealing the file.

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[5] Supreme Court case number 88635

On March 6, 2023, this Court entered its *Sua Sponte Order Sealing File* as Mr. Herrmann filed in an exhibit containing an unredacted social security number. The Order Sealing File specified that all papers, records, proceedings, and evidence, including exhibits and transcripts of testimony in this matter, shall be sealed and not open to public inspection except to the parties or their attorneys, or when required as evidence in another action or proceeding.[6] It further specified the pleadings, the findings of the Court, any orders made on motions as provided in NRCP, and the judgment are open to public inspection in the clerk's office.[7] As such, Mr. and Mrs. Herrmann have access to all documents filed into the district court.

Clarification

The Court **GRANTS** Mr. Herrmann's request for clarification.

The Court sua sponte sealed the record, based upon Mr. Herrmann filing an exhibit with a complete social security number on March 6, 2023. The parties had appeared in numerous hearings prior to the file being sealed in accord with NRS 125.110(2) and NRS 125.110(1)(b), which were repealed 2025, but not made retroactive.

Litigants do not have to specify "sealed", "confidential" or any other designation when filing into their case. The filing office will apply the correct designation to the filing once the filing has been approved. The filing office cannot lower the security level of a document submitted for filing by a litigant; if a litigant clicks "sealed", the document is sealed so only the Court is able to view the document. Additionally, the filing office cannot alter or "redact" a filing submitted by a litigant to remove private addresses, social security numbers, dates of birth, etc.

Mr. Herrmann was advised in the *Order Directing Clerk of the Court to Lower Security Level of Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt* filed August 23, 2023, stating "The Court finds that at the time of the filing, Defendant clicked the "confidential" or "sealed" button, increasing the security level of the documents so that the opposing party is unable to view them to respond."

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[6] The Court notes this means the papers filed by the parties are sealed from the general public being able to view the filings. The parties, their counsel, and the Court are able to view the documents.

[7] The Court note this means that every Order entered by the Court is open to public inspection, as well as the parties, their counsel and the Court.

The Court again advised Mr. Herrmann in its *Order Granting Ex Parte Motion; Order Directing Clerk of the Court to Lower Security Level of Documents Filed* entered on May 11, 2026, stating "The Court finds at the time of filing, Mr. Herrmann clicked the "Sealed" button, increasing the security level of the documents so that the opposing party is unable to view them to respond. At no point in the Order did the Court find Mr. Herrmann intentionally concealed filings; or failed to properly serve Ms. Herrmann with his filings. However, as Ms. Herrmann could not view the documents based upon the security level set by Mr. Herrmann at the time of filing, the Court granted Ms. Herrmann the statutory time to respond to his filings once the security level had been reduced to a level she could access the documents.

The Court again places Mr. Herrmann on notice that filing into this matter – a case where jurisdiction has been relinquished to Pennsylvania and the Court can no longer enter any substantive orders – may result in this Court holding a hearing to determine if he should be declared a vexatious litigant, resulting in the restriction of his ability to file any documents and/or sanctions.

Review of the filings do not show that the April 30, 2024 Order Finding Motion Moot; Sua Sponte Order Regarding Jurisdiction and the April 30, 2024 Order After Hearing on Enforcement are sealed. Those documents remain viewable by the parties and the general public as the Order Sealing specifically stated "the findings of the Court, any orders made on motions as provided in NRCP, and the judgment are open to public inspection in the clerk's office"

RFS

The Court acknowledges Mr. Herrmann's *Request for Submission of Specific Pending Motions; Application for Limited Immediate Hearing; and Affidavit/Declaration in Support.*

GOOD CAUSE APPEARING, IT IS SO ORDERED that the Motions are denied and/or clarified as indicated above.

Dated this 23 day of July 2026.

Sandra A. Unsworth
District Judge

DV21-01770

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of the Second Judicial District Court in and for the County of Washoe, and that on July 23, 2026, I deposited in the county mailing system for postage and mailing with the United States Postal Service in Reno, Nevada, or via e-filing, a true copy of the foregoing document addressed as follows:

ELECTRONIC FILING:

KELLY HERRMANN
JEREMY HERRMANN

Judicial Assistant