

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

10 Presently before the Court is Plaintiff's motion to remove state protective order (ECF No.  
11 31), filed on November 4, 2016. Defendants filed a response (ECF No. 34) on December 2, 2016.  
12 Plaintiff did not file a reply.

13 Plaintiff requests that this Court remove a protective order issued by the Nye County District  
14 Court's in a related criminal case. The protective order presently in place restricts access to, and use  
15 of, an internal investigation report issued by the Nevada Department of Public Safety. Plaintiff seeks  
16 to use a copy of the report in the present litigation. Plaintiff avers that he still has a copy of the  
17 internal investigation report in his possession. (Mot. p. 2 (ECF No. 31)).

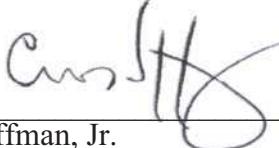
18 The order in question directs that the report “shall be returned to the Nye County District  
19 Attorney’s Office immediately upon the conclusion of this case.” (Exhibit B, p. 2 (ECF No. 35)).  
20 That case, according to Defendants’ response, has now concluded. It appears then that Plaintiff is in  
21 violation of the order. Plaintiff argues that the report is relevant and discoverable, but does not  
22 provide any authority to show that it is appropriate for this Court to allow for the violation of the  
23 state court’s order. Plaintiff is instructed to comply with the Nye County District Court’s order.  
24 Plaintiff may then seek disclosure of the report through discovery for this case.

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1 IT IS THEREFORE ORDERED that Plaintiff's motion to remove state protective order (ECF  
2 No. 31) is DENIED.

3 IT IS FURTHER ORDERED that Plaintiff comply with the Nye County District Court's  
4 order and return the internal investigation report to the Nye County District Attorney's Office.

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6 DATED: February 1, 2017.

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9 C.W. Hoffman, Jr.  
United States Magistrate Judge

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