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Cameron v. Eighth Judicial Dist. Court in & for Cty. of Clark, 135 Nev. Adv. Op. 28, 445 P.3d 843

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WRIT OF MANDAMUS: CHALLENGE TO BAIL INCREASE

Summary

Timmie Cameron filed a writ of mandamus challenging the district court's ruling to increase both his bail from \$25,000 to \$100,000 and his level of monitoring from mid-level electronic monitoring to house arrest.² The Court ruled the district court did not establish a good cause to warrant the bail increase and writ relief was granted.

Background

Timmie Cameron was charged with grand larceny of a firearm, possession or ownership of a firearm by a prohibited person, kidnapping in the first-degree with the use of a deadly weapon, battery with the use of a deadly weapon, coercion, and burglary. Cameron's bail was originally set by the justice court at \$25,000 and included mid-level monitoring. After a grand jury indictment, the case was transferred to district court where the bail was again set at \$25,000.

The State filed a motion with the district court requesting the bail be increased to \$150,000. The district court set Cameron's bail at \$100,000 and he was put on house arrest. Cameron filed for a writ of mandamus to order the district court to decrease his bail back to \$25,000, alleging the district court did not show a good cause for increasing the bail under NRS §178.499(1).³

Discussion

Under NRS § 178.499(1), the district court was required to make a finding of good cause in order to increase Cameron's bail after an initial bail amount was already determined.⁴ Moreover, the district court should have considered the statutory factors listed under NRS § 178.498 when the court determined whether good cause for a bail increase existed.⁵ The Supreme Court of Nevada has discretion when considering a writ of mandamus.⁶

The Court ruled the district court did not adequately show why Cameron was a flight risk, why mid-level monitoring was insufficient, and why \$25,000 bail was insufficient. Furthermore, the district court did not engage in any "meaningful analysis" of the factors that should be used when the court is considering what bail should be set at. The Court also held that NRS § 178.498(2) required the district court to consider Cameron's inability to pay.⁷

¹ By Manuel Gurule.

² *Cameron v. Eighth Jud. Dist. Ct.*, No. 88 Crim. 77669 (Nev. Jul. 18, 2019).

³ NEV. REV. STAT. §178.499(1)(year).

⁴ *Id.*

⁵ NEV. REV. STAT. §178.498 (year).

⁶ *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677 (1991).

⁷ *Id.*

Conclusion

The Court ruled the district court acted “arbitrarily and capriciously” when ruling to increase Cameron’s bail while failing to provide a good cause for doing so. The write relief was granted.