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2  
3 IN THE SUPREME COURT OF THE STATE OF NEVADA

4 Electronically Filed  
5 Jun 05 2012 09:01 a.m.  
6 Tracie K. Lindeman  
Clerk of Supreme Court

6 LUIS A, HIDALGO, JR.

7 Appellant,

CASE NO. 54209

8 vs.

9 THE STATE OF NEVADA

**APPELLANT'S NOTICE OF  
SUPPLEMENTAL AUTHORITIES  
[NRAP 31(e)]**

10 Respondent.  
11

12 **COMES NOW** Appellant, Luis A. Hidalgo, Jr., by and through counsel, Dominic P.  
13 Gentile, Esq., of the law firm of Gordon Silver, and pursuant to Nevada Rule of Appellate  
14 Procedure 31(e) files with the Court this Notice of Supplemental Authorities to aid the Court in  
15 deciding this matter.

16 Dated this 4th day of June, 2012.

17 GORDON SILVER

18 

19 DOMINIC P. GENTILE, ESQ.  
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Attorney for Appellant  
LUIS HIDALGO, JR.

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24 **LIST OF SUPPLEMENTAL AUTHORITIES, LEGAL PROPOSITIONS FOR WHICH**  
25 **THEY STAND AND PAGES OF BRIEF BEING SUPPLEMENTED**

- 26 1. THE FOLLOWING CASES SUPPLY JUDICIALLY RECOGNIZED DEFINITION OF  
27 THE TERM "SLIGHT EVIDENCE" AND SHOULD BE INCLUDED AS A NEW  
28 FOOTNOTE IMMEDIATELY AFTER THE PENULTIMATE SENTENCE IN THE  
FIRST FULL PARAGRAPH ON PAGE 36, OF APPELLANT'S OPENING BRIEF

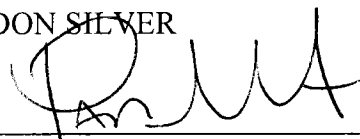
- 1 a. State v. Cyrus, 297 Conn. 829, 852, 1 A. 3d 59, 72(fn.3) (Conn. 2010) (equivalent  
2 of "suspicion").
- 3 b. In re Foster, 271 Md. 449, 475, 318 A. 2d 523, 537 (Md. 1974) (equivalent of  
4 "suspicion").
- 5 c. State v. Barick, 143 Mont. 273, 283, 389 P. 2d 170, 175 (Mont. 1964) (equivalent  
6 of suspicion).

7 2. THE FOLLOWING CASE AND STATUTE STAND FOR THE PROPOSITION THAT  
8 IT IS PREJUDICIAL FOR THE JUDGE TO INSTRUCT THE JURY AS TO HOW IT  
9 DECIDED THE SAME FACTUAL QUESTION IN RULING ON ADMISSIBILITY IF  
10 THE JURY MUST ALSO DECIDE IT IN DETERMINING THE MERITS OF THE  
11 CASE. THEY SHOULD BE INCLUDED AT PAGE 9 OF APPELLANT'S REPLY  
12 BRIEF AT THE END OF THE PARAGRAPH CARRIED OVER FROM THE  
13 PRECEDING PAGE. A NEW SENTENCE SHOULD PRECEED THEIR INCLUSION:  
14 "MOREOVER, THE CALIFORNIA SUPREME COURT RECENTLY PUBLISHED  
15 AN OPINION CONTRADICTING THE UNPUBLISHED CASES RELIED UPON BY  
16 RESPONDENT."

- 17 a. State v. Blacksher , 52 Cal. 4th 769, 834, 259 P. 3d 370, 422 (Cal. 2011).
- 18 b. California Evidence Code § 405(b).

19 Respectfully submitted this 4<sup>th</sup> day of June, 2012.

20 GORDON SILVER

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22 \_\_\_\_\_  
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28 Attorney for Appellant  
LUIS HIDALGO, JR.

1 **CERTIFICATE OF SERVICE**

2 The undersigned, an employee of Gordon Silver, hereby certifies that on the 4<sup>th</sup> day of  
3 June, 2012, she served a copy of the Notice of Supplemental Authorities NRAP 31(e), in  
4 accordance with the Master Service List as follows:

5 Nancy A. Becker  
6 Chief Deputy District Attorney  
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ADELE L. JOHANSEN, an employee of  
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