

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES PARKER,
Appellant,

v.

THE STATE OF NEVADA,
Respondent.

Case No. 70139

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RESPONDENT'S ANSWERING BRIEF

**Appeal From Judgment of Conviction
Eighth Judicial District Court, Clark County**

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ROUTING STATEMENT

This appeal is appropriately assigned to the Court of Appeals pursuant to NRAP 17(b)(1) because it is a direct appeal from a Judgment of Conviction that challenges only the sentence imposed or the sufficiency of the evidence.

STATEMENT OF THE ISSUE

1. Whether the evidence was sufficient to support a jury verdict of guilty against Appellant James Parker on the charges relating to the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market Robberies.

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STATEMENT OF THE CASE

On August 14, 2015, Parker was charged by way of Indictment with one count of Burglary while in Possession of a Firearm (Category B Felony – NRS 205.060), two counts of Robbery with Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165), one count of Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 193.480), and one count of Attempt Robbery with Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.330, 193.165). 1 Appellant’s Appendix (“AA”) 1-4.

On October 9, 2015, the State filed a Superseding Indictment, charging Parker as follows: Count 4 – Conspiracy to Commit Robbery; Count 5 – Burglary while in Possession of a Firearm; Count 6 – Robbery with Use of a Deadly Weapon; Count 7 – Conspiracy to Commit Robbery; Count 8 – Burglary while in Possession of a Firearm; Count 9 – Robbery with Use of a Deadly Weapon; Count 10 – Attempt Robbery with Use of a Deadly Weapon; Counts 11 to 15 – Robbery with Use of a Deadly Weapon; Count 16 – Conspiracy to Commit Robbery; Count 17 – Burglary while in Possession of a Firearm; Count 18 – Robbery with Use of a Deadly Weapon; Count 19 – Conspiracy to Commit Robbery; Count 20 – Burglary while in

Possession of a Firearm; Count 21 – Attempt Robbery with Use of a Deadly Weapon; Counts 22 to 23 – Robbery with Use of a Deadly Weapon.¹rob 1 AA 7-17.

Parker’s trial commenced on December 1, 2015, and ended on December 7, 2015. 1 AA 21, 218; 2 AA 488; 4 AA 741; 5 AA 988. The jury returned a verdict finding Parker guilty on all but one count—that being Count 23 (Robbery with Use of a Deadly Weapon). 5 AA 1096-1100.

On March 17, 2016, Parker was sentenced to the Nevada Department of Corrections (“NDC”) as follows: as to Count 4 (Conspiracy to Commit Robbery), 28 to 72 months; as to Count 5 (Burglary while in Possession of a Firearm), 72 to 180 months, to run concurrent with Count 4; as to Count 6 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 72 to 180 months for the use of a deadly weapon, all to run consecutive to Count 5; as to Count 7 (Conspiracy to Commit Robbery), 28 to 72 months, to run concurrent with Count 6; as to Count 8 (Burglary while in Possession of a Firearm), 72 to 180 months, to run concurrent with Count 7; as to Count 9 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 8; as to Count 10 (Attempt Robbery with Use of a Deadly Weapon), 48 to 120 months plus a consecutive term of 24 to 120

¹ Counts 1, 2, and 3 in the Superseding Indictment pertained exclusively to Parker’s co-defendants, Ralph Alexander and Tonya Martin; Count 24 pertained exclusively to Alexander. 1 AA 8, 18.

months for the use of a deadly weapon, all to run concurrent with Count 9; as to Count 11 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 10; as to Count 12 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 11; as to Count 13 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 12; as to Count 14 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 13; as to Count 15 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 14; as to Count 16 (Conspiracy to Commit Robbery), 28 to 72 months, to run concurrent with Count 15; as to Count 17 (Burglary while in Possession of a Firearm), 72 to 180 months, to run concurrent with Count 16; as to Count 18 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 17; as to Count 19 (Conspiracy to Commit Robbery), 28 to 72 months, to run concurrent with Count 18; as to Count 20 (Burglary while in Possession of a Firearm), 72 to 180 months, to run concurrent with Count 19; as to

Count 21 (Attempt Robbery with Use of a Deadly Weapon), 48 to 120 months plus a consecutive term of 24 to 120 months for the use of deadly weapon, all to run concurrent with Count 20; and as to Count 22 (Robbery with Use of a Deadly Weapon), 72 to 180 months plus a consecutive term of 24 to 180 months for the use of a deadly weapon, all to run concurrent with Count 21. 5 AA 1101-05. The Judgment of Conviction was filed March 25, 2016. *Id.* Parker filed a Notice of Appeal on April 18, 2016. 5 AA 1106.

STATEMENT OF THE FACTS

Events of June 19, 2015, at the Kwik-E Market

Craig Tunnell worked the “graveyard shift” from 11:00 P.M. until 7:00 A.M. as a cashier at the Kwik-E Market located at 6055 East Lake Mead Boulevard in Las Vegas. 2 AA 369-71. He was working this shift on June 19, 2015, when Parker and the codefendant Ralph Alexander entered the store. 2 AA 371, 373, 408. They were dressed in black and each wore something to cover his face: one wore a “white” mask and the other wore a bandana covering his face from the nose down. 2 AA 373-74. Alexander and Parker then proceeded to take Tunnell’s wallet at gunpoint, which contained about \$140. 2 AA 373, 375, 408-09. They also took approximately \$140 from a drawer right underneath the store’s cash register before departing. 4 AA 379.

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Events of June 26, 2015, at the Las Vegas Nail Spa

At around 6:00 P.M. on June 26, 2015, Angelina Espinoza, Iracema Montes-Cervantes, Iraiis Montes-Cervantes, Angelica Miranda, and Briauna Williams were visiting the Las Vegas Nail Spa located at 4430 East Charleston Boulevard in Las Vegas when Alexander and Parker entered the Spa and proceeded to rob all of them at gunpoint. 2 AA 429-30, 435, 453-55, 461-63, 469-70, 473; 3 AA 688-89.

At the time that this robbery was underway, Lien Nguyen (the owner of the Spa) and Cang Tran (an employee) were also present. 2 AA 446-47; 4 AA 775. When pressed at gunpoint, Nguyen gave money that she kept in a drawer to one of them while the other went around collecting the patrons' belongings. 2 AA 447, 449. Tran was also threatened at gunpoint, but he denied having any money on his person. 2 AA 450; 4 AA 776.

During this robbery, Alexander and Parker each wore something to cover his face: one wore a "skull mask" that covered his whole face and the other wore a bandana covering his face from the nose down. 2 AA 430, 449, 455, 463, 470; 3 AA 689-90.

Events of June 30, 2015, at the Rainbow Market

At around 4:30 A.M. on June 30, 2015, Alma Gutierrez was working at the Rainbow Market located at 5075 East Washington Avenue in Las Vegas when Alexander and Parker entered the store. 3 AA 548, 550. Each of them was wearing

something to cover his face: one wore a bandana covering the lower-half of his face and the other wore a “skull hoodie.” 3 AA 553-54. Alexander and Parker then proceeded to rob the cash register at gunpoint, taking approximately \$100. 3 AA 554-55.

Events of July 9, 2015, at the Family Dollar

At around 8:30 A.M. on July 9, 2015, Keshawn Richardson was working for the first time at the Family Dollar located at 4365 East Lake Mead in Las Vegas when Alexander and Parker entered the store. 3 AA 563-64. Each of them was wearing something to cover his face: one wore a bandana covering the lower-half of his face and the other wore a “skull mask.” 3 AA 567-68, 585-86, 705. Moreover, the one wearing the bandana was carrying a firearm. 3 AA 567-68. Upon entering the store, they rushed towards Ms. Richardson and demanded that she open the register. 3 AA 568. However, she was not able to open up the register. 3 AA 570, 572. Unable to get money from the register, Alexander and Parker turned their attention to Elana Ojeda-Chavarria, a customer standing nearby the register, at which point Parker then proceeded to snatch Ojeda-Chavarria’s purse. 3 AA 574, 597-99.

Officer Damian Avery Walburn and his partner, Officer Blaine Martell, who were both working as plainclothes police officers in the area had noticed Alexander and Parker acting suspiciously before entering Family Dollar. 3 AA 699-700; 4 AA 780. Accordingly, Officers Walburn and Martell parked their vehicle in front of the

store to investigate further. 3 AA 703-04; 4 AA 782. Officer Walburn then noticed that Alexander was wearing a bandana around his face, wielding a firearm, and that Parker was wearing a “skull mask.” 3 AA 705-07. Officers Walburn and Martell were, in turn, noticed by Parker and Alexander. 3 AA 708. As the latter pair made their way to exit the back-end of the store, Officer Walburn took pursuit. 3 AA 708-18.

Alexander and Parker were eventually taken into custody. 3 AA 610-11, 718. Richardson was escorted by the police to the sites where Alexander and Parker were being held for purposes of conducting a show-up. 3 AA 575, 615. Richardson was able to positively identify Alexander as the man who had been wearing the bandana around the lower-half of his face and Parker as the man who had been wearing the “skull mask.” 3 AA 578, 590-91, 619-20.

Moreover, the “skull mask,” which had been discarded by Parker in flight, was discovered by law enforcement officials. 3 AA 658-59. Forensics subsequently examined the mask, swabbing the inside front portion of the mask and then processing it for DNA. 3 AA 672-74. While testing uncovered “a mixture in [the] profile,” the forensic scientist conducting the tests was able to “distinguish a major profile.” *Id.* Upon comparing this “major profile” with the DNA samples taken from Alexander and Parker, forensics was able to conclude that “[t]he full major profile was consistent with James Parker.” 3 AA 674.

Investigation

Subsequent investigation revealed Tonya Martin was potentially involved in the string of robberies committed by Alexander and Parker. Martin was the girlfriend of Alexander and admitted to being the accomplice of Alexander and Parker in the aforementioned robberies. 4 AA 823-24, 915.

On June 19, 2015, Martin dropped Alexander and Parker off at the Kwik-E Market. 4 AA 854-55, 875. When she dropped them off, one was wearing a bandana around his face and the other was wearing a “skull mask.” 4 AA 876, 879. She waited for them in the car and when they returned, she noticed that they were carrying a backpack and “some change.” 4 AA 855.

On June 26, 2015, Martin dropped Alexander and Parker off at the Las Vegas Nail Salon. 4 AA 839, 845, 878. When she dropped them off, they were wearing dark clothing and masks. 4 AA 867. After a few minutes, they came back to the car and told Martin to drive back home. 4 AA 839, 878.

On June 30, 2015, Martin dropped Alexander and Parker off at the Rainbow Market. 4 AA 853. At the time she dropped them off, they were wearing black clothing. 4 AA 854. After dropping them off, Martin was told to wait in the car by Alexander. 4 AA 868. After a while, Alexander and Parker emerged from the store and returned to the car. 4 AA 853, 868.

On July 9, 2015, Martin dropped Alexander off at the Family Dollar. 4 AA 846. When she dropped him off, she noticed that Parker was there as well. 4 AA 847-48. She further noted how one of them had a bandana and the other had a “beanie with a white face on it.” 4 AA 847. However, Martin did not stick around to pick them back up. 4 AA 848. Upon hearing sirens, she fled. 4 AA 847.

SUMMARY OF THE ARGUMENT

Contrary to what Parker argues, there was more than sufficient evidence tying him to the robberies committed at the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market. The testimony of Martin, the testimony of the victims at each of the locations, the video surveillance available, and the DNA results of the testing conducted on the “skull mask,” when viewed in the light most favorable to the State, is certainly sufficient to establish Parker’s guilt beyond a reasonable doubt as determined by a rational trier of fact as far as all of charges relating to Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market robberies are concerned.

ARGUMENT

II. The Evidence Was Sufficient To Support A Jury Verdict Of Guilty Against Parker On The Charges Relating To The Kwik-E Market, The Las Vegas Nail Spa, And The Rainbow Market Robberies.

Parker argues that the evidence was insufficient to support a finding of guilt beyond a reasonable doubt as to the charges relating to the robberies that took place

at the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market. Appellant's Opening Br. at 4.

The proper inquiry for a claim of insufficient evidence is whether the evidence, when viewed in the light most favorable to the prosecution, is sufficient to establish guilt beyond a reasonable doubt as determined by a rational trier of fact. *See Jackson v. Virginia*, 443 U.S. 307, 319, 99 S. Ct. 2781 (1979). Here, Parker was convicted of four counts of Burglary while in Possession of a Firearm, nine counts of Robbery with Use of a Deadly Weapon, four counts of Conspiracy to Commit Robbery, and two counts of Attempt Robbery with Use of a Deadly Weapon.

Because Parker concedes his guilt as far as the Family Dollar robbery is concerned,² his argument regarding sufficiency of the evidence is focused specifically on the following charges: [1] the one count of Conspiracy to Commit Robbery, the one count of Burglary while in Possession of a Firearm, and the one count of Robbery with Use of a Deadly Weapon, all of which were associated with the Kwik-E Market;³ [2] the one count of Conspiracy to Commit Robbery, the one count of Burglary while in Possession of a Firearm, the six counts of Robbery with Use of a Deadly Weapon, and the one count of Attempt Robbery with Use of a

² Appellant's Opening Br. at 4 ("Appellant does not challenge the convictions arising from the Family Dollar Store Robbery.")

³ This would be Counts 4 through 6 of the Superseding Indictment. AA 9-10.

Deadly Weapon, all of which were associated with the Las Vegas Nail Spa;⁴ and [3] the one count of Conspiracy to Commit Robbery, the one count of Burglary while in Possession of a Firearm, and the one count of Robbery with Use of a Firearm, all of which were associated with the Rainbow Market.⁵ After considering the testimony of Martin, the testimony of the victims, the video surveillance available, and the DNA results of the testing conducted on the “skull mask,” this Court should find that this evidence, when viewed in the light most favorable to the State, is certainly sufficient to establish Parker’s guilt beyond a reasonable doubt as determined by a rational trier of fact as far as all of these charges are concerned.

Martin admitted to dropping Alexander and Parker off at the Kwik-E Market. 4 AA 854-55, 875. And, according to Martin, one was wearing a bandana around his face and the other was wearing a “skull mask” when she dropped them off. 6 AA 876, 879. She waited for them in the car and when they returned, she noticed that they were carrying a backpack and “some change.” 4 AA 855.

Martin further explained how she dropped Alexander and Parker off at the Las Vegas Nail Spa a few days after the Kwik-E Market robbery. 4 AA 839, 845, 878. When she dropped them off, they were wearing dark clothing and masks. 4 AA 867.

⁴ This would be Counts 7 through 15 of the Superseding Indictment. AA 10-14.

⁵ This would be Counts 16 through 18 of the Superseding Indictment. AA 14-15.

After a few minutes, they came back to the car and told Martin to drive back home.
4 AA 839, 878.

Martin's testimony also addressed the Rainbow Market robbery. According to Martin, she dropped Alexander and Parker off at the Rainbow Market a few days after the Las Vegas Nail Spa robbery. 4 AA 853. At the time she dropped them off, they were wearing black clothing. 4 AA 854. After dropping them off, Martin was told to wait in the car by Alexander. 4 AA 868. After a while, Alexander and Parker emerged from the store and returned to the car. 4 AA 853, 868.

Lastly, Martin admitted to dropping Alexander off near the Family Dollar on July 9, 2015. 4 AA 846. When she dropped him off, she noticed that Parker was there as well. 4 AA 847-48. She further noted how one of them had a bandana and the other had a "beanie with a white face on it." 4 AA 847. Thus, Martin's testimony alone was sufficient evidence of identification as to all three of the challenged robberies.

Parker, however, argues that the "only evidence" that ties him to the robberies at the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market is the testimony of Martin, which he dismisses as not credible. Appellant's Opening Br. at 7-10. In doing this, Parker ignores all of the evidence presented by the State, which served to corroborate Martin's testimony.

To be sure, a conviction cannot rest on the testimony of an accomplice “unless the accomplice is corroborated by other evidence which in itself, and without the aid of the testimony of the accomplice, *tends to connect* the defendant with the commission of the offense.” NRS 175.291(1); *State v. Hilbish*, 59 Nev. 469, 479, 97 P.2d 435, 438 (1940) (*citing State v. Streeter*, 20 Nev. 403, 22 P. 758 (1889)) (“The evidence necessary to corroborate an accomplice need not in itself be sufficient to establish guilt. It may be slight in probative effect, yet its weight is for the jury, and if it tends to connect the accused with the commission of the offense, it will satisfy the statute.”); *Ramirez-Garza v. State*, 108 Nev. 376, 379, 832 P.2d 392, 393 (1992) (“If the evidence, independent of the accomplice testimony, tends to connect the accused with the commission of the offense, then the corroboration requirement contained in NRS 175.291 is satisfied.”). And as noted by the Nevada Supreme Court in *Cheatham v. State*, 104 Nev. 500, 504, 761 P.2d 419, 422 (1988), “[c]orroboration evidence need not be found in a single fact or circumstance and can, instead, be taken from the circumstances and evidence as a whole.” *See also Heglemeier v. State*, 111 Nev. 1244, 1250, 903 P.2d 799, 803 (1995).

Here, there is certainly sufficient evidence independent of Martin’s testimony that tends to connect Parker to all the charges associated with the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market robberies. As for the Kwik-E Market robbery, there was video surveillance admitted showing Martin’s gold 2002

Ford Taurus pull up to the Kwik-E Market at which point two men matching the physical characteristics of Alexander and Parker emerge from the car and put on masks just before entering the store. 2 AA 372; 4 AA 943; 5 AA 1019. Tunnell, the cashier who had been working at the time, further confirmed that one of the perpetrators was sporting a “white mask” while the other man had a bandana covering the lower-half of his face.⁶ 2 AA 373-74. Both the video surveillance and Tunnell’s testimony also indicated that the man wearing the bandana (Alexander) wielded a firearm and took Tunnell down the candy aisle after which he made Tunnell lie face-down on the ground as he proceeded to search his pockets and take his wallet before finally leaving the store. 2 AA 373-75, 377.

As for the Las Vegas Nail Spa robbery, video surveillance was admitted again showing Martin’s 2002 Ford Taurus stop near the Las Vegas Nail Salon in order to drop off two men matching Parker and Alexander’s description. 4 AA 74, 944; 5 AA

⁶ As the testimonies of Richardson, Officer Walburn, and Detective Miller established, these masks—specifically, the bandana and the “punisher-style” white “skull” mask—were worn by Alexander and Parker, respectively, at the Family Dollar incident. 3 AA 567-68, 575, 578, 585, 619-20, 705, 220; 4 AA 944-45. And as the testimony of Detective Miller established, these masks were consistently used in the three robberies immediately preceding the Family Dollar incident—i.e., the robberies at the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market—and no other robbery in which these masks were used occurred after Alexander and Parker were arrested on July 9, 2016 (the day of the Family Dollar incident). 4 AA 944-46.

1023.⁷ Although none of the six witnesses inside the nail salon saw the faces of the suspects, they consistently testified that each one of the perpetrators had his face covered: that one in specific wore a bandana and that the other wore some type of white mask that covered the entire face. 2 AA 430, 449, 455, 463, 470; 3 AA 689-90. The testimonies of these witnesses also agree on the fact that the masked individuals then proceeded to rob them at gunpoint. 2 AA 429-30, 435, 453-55, 461-63, 469-70, 473; 3 AA 688-89.⁸ After committing these robberies, video surveillance outside of the salon shows the perpetrators fleeing and then reentering Martin's car. 4 AA 944; 5 AA 1024.

As for the Rainbow Market robbery, both video surveillance and Gutierrez's testimony established that two men wearing masks entered the Rainbow Market at around 4:30 A.M. 3 AA 548-554. One of the men had a "bandana covering the lower half of his face" and the other had a "skull hoodie." 3 AA 553-54. Once inside the Rainbow Market, these masked men proceeded to rob the cash register, taking approximately \$100. 3 AA 554-55.

⁷ In its closing statement, the State provided a more detailed description of what this video surveillance showed. *See* 5 AA 1023-24.

⁸ And as far the Attempt Robbery with Use of the Deadly Weapon charge is concerned, *see* 1 AA 11 (Count 10 of the Superseding Indictment), Tran testified that he was threatened at gunpoint by one of the masked men but was left alone after denying that he had money on his person. 2 AA 450; 4 AA 776.

Another significant piece of evidence tying Parker to these crimes is the DNA results of the testing performed on the “skull mask” which had been discarded by Parker while in flight from the Family Dollar incident. 3 AA 658-59. As noted above, forensics subsequently examined the mask, swabbing the inside front portion of the mask and then processing it for DNA. 3 AA 672-74. While testing uncovered “a mixture in [the] profile,” the forensic scientist conducting the tests was able to “distinguish a major profile.” *Id.* Upon comparing this “major profile” with the DNA samples taken from Alexander and Parker, forensics was able to conclude that “[t]he full major profile was consistent with James Parker.” 3 AA 674.

All of this evidence sufficiently tended to connect Parker to the robberies committed at the Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market such that the jury was free to find Martin’s testimony credible.

CONCLUSION

The State respectfully requests that this Court affirm the Judgment of Conviction in Parker’s case. Taken all together, the evidence—which includes the testimony of Martin, the eyewitness testimony of the victims at each of the locations, the video surveillance, and the DNA results of the testing conducted on the “skull mask”—when viewed in the light most favorable to the State, is sufficient to establish Parker’s guilt beyond a reasonable doubt as determined by a rational trier

of fact as far as all of charges relating to Kwik-E Market, the Las Vegas Nail Spa, and the Rainbow Market robberies are concerned.

Dated this 9th day of January, 2017.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

1. **I hereby certify** that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word 2013 in 14 point font of the Times New Roman style.
2. **I further certify** that this brief complies with the page and type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is proportionately spaced, has a typeface of 14 points, contains 4,171 words and does not exceed 30 pages.
3. **Finally, I hereby certify** that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

Dated this 9th day of January, 2017.

Respectfully submitted

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BY */s/ Charles Thoman*

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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on January 9, 2017. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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