

IN THE SUPREME COURT OF THE STATE OF NEVADA

WAYNE MICHAEL CAMERON,
Appellant.

v.

STATE OF NEVADA,
Respondent.

Electronically Filed
Sep 29 2021 12:19 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No. 83531

DOCKETING STATEMENT

1. Judicial District: Second County: Washoe
Judge: Honorable Barry Breslow District Court Case No.: CR20-3534
2. If the Defendant was given a sentence,
 - a) what is the sentence? Life imprisonment without the possibility of parole, plus a consecutive sentence of 8-20 years.
 - b) has the sentence been stayed pending appeal? No.
 - c) was defending admitted to bail pending appeal? No.
3. Was counsel in the district court appointed or retained? Appointed.
4. Attorney filling this docketing statement?
Attorney: Richard F. Cornell Telephone: 775/329-1141
Firm: Richard F. Cornell, P.C. Address: 150 Ridge Street, Second Floor, Reno,
Nevada 89501
Client: Appellant, WAYNE MICHAEL CAMERON
5. Is appellate counsel appointed or retained? Retained.
6. Attorneys representing Respondents:
Attorney: Jennifer Noble Telephone 775-337-5750
Firm: Washoe Co. District Attorney's Address: 1 South Sierra St, 7th Floor
Office, Appellate Division Reno, Nevada 89501
Clients: STATE OF NEVADA
7. Nature of disposition below: Judgment after jury verdict

8. Does this appeal raise issues concerning any of the following: Yes, life sentence.
9. Expedited appeals: The court may decide to expedite the appellate process in this matter. Are you in favor of proceeding in such manner? No.
10. Pending and prior proceedings in this court: None to the undersigned's knowledge.
11. Pending and prior proceedings in other courts: None to the undersigned's knowledge.
12. Nature of action:

Appellant was bound over and charged with murder, both on an open murder theory and on a felony murder theory. The cause went to jury trial, after which the jury found the Appellant guilty of first degree murder and subsequently sentenced him to life without the possibility of parole. At time of formal sentencing the Court added 8-20 years on account of the deadly weapon enhancement to that judgment.

13. Issues on appeal. State specifically all issues in this appeal:

To the undersigned's knowledge, without the benefit of being trial counsel or having read the trial transcript:

- 1) Is the evidence sufficient in this case to support a theory of "burglary," necessary for the theory of felony murder, which would erase any consideration of second degree murder, voluntary manslaughter or involuntary manslaughter?
- 2) Did the trial court abuse its discretion in admitting uncharged misconduct evidence in the form of "road rage incidents" involving the Appellant, where there

was no violence in any of the uncharged misconduct and where the evidence was less than clear that the fatal gunshot followed a road rage incident?

3) In cases where the jury decides the penalty, should the jury be given instructions that track NRS 200.033 and 200.035?

14. Constitutional issues: Not applicable.

15. Assignment to the Court of Appeals: Pursuant to NRAP 17(b)(2), because this is an appeal from a judgment of conviction based on a jury verdict of a Category A felony that does more than challenge the sentence imposed and/or the sufficiency of the evidence, the case should be retained by the Supreme Court.

16. Issues of first impression or of public interest: First impression: Yes. Public interest: Yes.

17. Length of trial: The jury trial began June 25, 2021 and went 10 judicial days until return of the guilty verdict on July 9, 2021. The jury returned the life without parole verdict on July 12, 2021.

18. Oral argument: Would you object to submission of this appeal for disposition without oral argument? Leave to the Court's discretion.

TIMELINESS OF NOTICE OF APPEAL

19. Date the court announced decision, sentence or order appealed from: September 9, 2021.

20. Date of entry of written judgment: September 9, 2021.

21. If this appeal is from an order granting or denying a petition for writ of habeas corpus, indicate the date written notice of entry of judgment or order was served by the district court: Not applicable.

22. If the time for filing notice of appeal was tolled by a post judgment motion...:

Not applicable.

23. Date notice of appeal filed: September 21, 2021.

24. Specify the statute or rule governing the time limit for filing the notice of appeal: NRAP 4(b).

25. Specify statute, rule or other authority that grants this court jurisdiction to review from: NRS 177.015(3).

VERIFICATION

I certify that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief.

Wayne M. Cameron
Name of Appellant

Richard F. Cornell
Name of counsel of record

September 29, 2021
Date

/s/RichardCornell
Signature of counsel of record

CERTIFICATE OF SERVICE

The undersigned does hereby swear and declare under penalty of perjury that they are an employee of RICHARD F. CORNELL, P.C., and that on the 29th day of September, 2021, they caused a true and correct copy of the preceding document to be served upon all necessary parties by way of electronic service through the Court's E-flex filing system, addressed as follows:

Washoe County District Attorney's Office
Appellate Division
1 South Sierra Street, 7th Floor
Reno, Nevada 89501
districtattorney@da.washoecounty.us

DATED this 29th day of September, 2021.

/s/KathrynOBryan
Kathryn O'Bryan