

IN THE SUPREME COURT OF THE STATE OF NEVADA

WAYNE MICHAEL CAMERON,

Appellant,

v.

THE STATE OF NEVADA,

Respondent.

No. 83531

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**RESPONDENT'S RESPONSE TO APPELLANT'S
SUPPLEMENTAL BRIEF**

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I. INTRODUCTION

Pursuant to this Court’s January 11, 2023 Order Directing Supplemental Briefing, the State submits this Response to Appellant Wayne Michael Cameron’s (hereafter, “Cameron”) Supplemental Brief (hereafter ASB) filed January 26, 2023. The State observes that the scope of Cameron’s Supplemental Brief appears to exceed the specific questions posited by the Order. In an effort to confine its arguments here to those relevant to the Court’s specified areas of inquiry, the State respectfully incorporates by reference the arguments included in its original Answering Brief, and endeavors to confine its response to the arguments relevant to the Court’s most recent Order.

II. STATEMENT OF FACTS

For the Court's ease of reference, the State includes the statement of facts contained in its earlier briefs. In Section A of its argument, the State will address the version of the facts offered by Cameron in his Supplemental Brief.

On February 11, 2020, Cameron murdered 29-year-old Jarrod Faust, hereafter "Faust," by shooting him in the face in a Reno cul-de-sac. The bullet traveled through Faust's cheek, the left side of his neck, the horn of the hyoid bone, and portions of his cervical vertebrae, resulting in his death. Appellant's Appendix (hereafter "AA"), V AA 1120-1122. At about 8:30 that night, neighbors heard two pops, and saw two cars side by side. II AA 330-348. One of the vehicles roared off at a high rate of speed. *Id.* The police were called. *Id.* The victim's mother, Karen Faust, testified that the last time she saw her son alive was at about 8:15 p.m. the night of the murder. He told her he was going for a quick workout at the gym. She never saw him alive again. III AA 540-541.

When Faust was found by sheriff's deputies, he was still sitting in the driver's seat of his Chevy truck. II AA 259-292. The vehicle was in gear, the engine was still running, and he had his seatbelt on. *Id.* His foot was near the brake pedal, as if it had just slipped off. *Id.* The driver's side window

was down, and the doors were locked. *Id.* Country music was still playing in the car, and there was slight body damage to the front driver's side bumper. *Id.* A vape pen was in Faust's right hand, and his left hand rested on his lap. *Id.* No weapons were in the vehicle. *Id.*

Detective Michael Almaraz was involved in a video canvass of the neighborhood surrounding the murder. II AA 379-385. He obtained surveillance footage from nearby Rock Haven Drive, about four houses down from the victim's home. Footage from 8:44 p.m. showed a light-colored, lifted pickup, consistent with Faust's vehicle, and a smaller light-colored SUV sedan. *Id.* Detective Brian Atkinson testified that a brass colored .40 caliber Smith and Wesson cartridge was found near the crime scene, as well as skid marks on the asphalt. *Id.*, 415-416.

Police had no leads until they were contacted by Dave Colarchik, a friend of Cameron's. Colarchik related that at 9:40 p.m. on the night of the murder, Cameron texted him, asking if he was awake. III AA 548-560. After responding to the text, Colarchik called Cameron. *Id.* After making Colarchik promise not to tell anyone, Cameron made several incriminating statements including, "I think I just shot someone," "I hate when people make me mad, I don't know why I get so angry," and "I hate that I know the law" and "I'm the one who got out of the car." *Id.* Cameron told Colarchik,

“I’m the one that went up to him” and urged Colarchik to tell no one, not even his own wife. *Id.* Later, Cameron left Colarchik a voice mail asking Colarchik to take care of his children. III AA 559. Detective Josh Watson of the Reno Police Department’s Computer Crimes Unit later testified that he examined Cameron’s cell phone. His forensic examination of text messages on the phone was consistent with Colarchik’s account. *Id.*

Examination of location tracking software on Cameron’s phone revealed that at 8:42 p.m. on the night of the murder, Cameron was in the area of Ventana Parkway and West Zolezzi. V AA 1001-1026. Examination of Faust’s cell phone revealed that he was in the same location at 8:42 p.m. *Id.* On the night of the shooting, nine specific Ring Camera videos were deleted from the Ring application on Cameron’s phone, shortly before he called Colarchik. III AA 734-747.

Colarchik also advised police that Cameron had several friends in high positions at the Washoe County Sheriff’s Office. Because of this, the Reno Police Department conducted the investigation. Colarchik told the authorities that Cameron had left town, but that he was flying back home to the Reno airport that night. Detectives spotted Cameron’s vehicle at the airport, and followed him to Pinocchio’s, a local restaurant, where they
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determined Cameron was having dinner with members of the sheriff's office. III AA 656-659.

When detectives arrived at his home, Cameron's first statement was, "What's your badge number?" IV AA 948-950. Cameron agreed to come to the police station for a consensual interview. *Id.* When asked if he owned guns, Cameron stated, "I don't know what I have, I have long guns." When asked if he had any .40 caliber guns, he stated, "I'm not sure." Without knowing the target of the warrant, he volunteered to open his safes. *Id.*

Detectives talked to Cameron's son, Ethan, who advised that his father had various guns that used .22 caliber and 9-millimeter ammunition. Ethan further advised that his father always carried a pistol under the seat of his car. Cameron's ex-wife, former girlfriend, and brother also remembered that he kept a small semi-automatic pistol under the driver's seat of his vehicle. III AA 620-621, 625, 631. Sean Elliott, who knew Cameron through youth sports, also testified that he saw a 9-millimeter firearm in Cameron's vehicle glove box. At that time, Cameron told Elliott he also carried a .40 caliber semi-automatic gun, which was his favorite. *Id.*, 643-647.

Ethan's trial testimony was consistent with his statements to police. III AA 586. He testified that his father kept several firearms at home, and

one under the driver's seat of his vehicle, which Ethan believed to be a small .40 caliber pistol. *Id.* When detectives rang the doorbell, Ethan thought they were Mormon missionaries. *Id.* He recalled that his father had been following news about the neighborhood shooting, and when detectives mentioned it, Cameron stated, "It's the shooting you told me about, Ethan." *Id.* But Ethan remembered that it was Cameron who had told him about the shooting. *Id.* He recalled that Cameron's arms and voice were shaking, and that he was sweating. *Id.*

After Cameron was arrested, Ethan was going through his father's things and found a "Safety & Instruction Manual" for Smith & Wesson pistol models "SD9VE" and "SD40VE." III AA 600. A hand-written receipt dated "12-22-12" from "NV Guns N Ammo" in the name of "Wayne Michael Cameron" for one "S&W SD40" was located with the manual. *Id.*

In searching Cameron's house pursuant to a warrant, police found a number of firearms, including a 9-millimeter Glock, a .22 revolver, and a 9-millimeter Smith and Wesson. III AA 662-696. No .40 caliber weapon or ammunition was found in Cameron's house. *Id.* But one 9-millimeter casing and two fired .40 caliber casings were found underneath the driver's seat of his car. *Id.*, 694; IV AA 906. Forensic examination revealed that the .40 casings matched those found at the scene, and that the casings had

been fired from the same gun. Detectives later confirmed that Cameron had purchased a .40 caliber Smith & Wesson in 2012. IV AA 921-922.

When detectives again made contact with Cameron, he was sweating and shaking on a 61-degree day. IV AA 782. He agreed to come to the police station for a consensual interview. *Id.* During the ride to the station, Cameron informed Detective Nevills that he knew people working for the Reno Police Department. *Id.*, 829-839; Exhibit 20. It was established that Cameron had gotten his concealed weapons permit in January of 2018. *Id.* Cameron made a series of incriminating statements, but stopped short of admitting that he shot Faust. *Id.* He claimed that as he was driving home from Murrieta's, another local restaurant, he saw a motorcycle and a truck "going at it" and that the motorcycle was "annoying the truck." *Id.* Initially, Cameron claimed he went home after seeing the vehicles, but later admitted that he followed the truck into a cul-de-sac and spoke to the driver, and then left. *Id.* He claimed that he followed the driver to check and see if he was alright, but also indicated he followed the truck "because I am stupid." *Id.* Once police confronted him with the murder, Cameron stated, "I can tell you there was no rage on my part, yep, none whatsoever." *Id.*

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Gary Miner, a former police officer, testified that he owned a wine store called Vino 100, and that Cameron was a frequent customer. IV AA 768-770. On February 24th, 2020, Cameron came in and told Miner that he was under investigation for murder. *Id.* Miner was in disbelief. Cameron told Miner that he had called a friend and told him he might have shot somebody. *Id.* The next day, Cameron returned and told Miner that police had searched his home and taken all his guns. *Id.* Cameron whispered, “But they’re not going to find that gun.” *Id.* Miner asked him, “You didn’t do this, did you?” *Id.* Cameron replied, “You know I can’t tell you that.” *Id.*

Leah Mazza testified that on October 30, 2018, she was on her way home and driving on Zolezzi Lane. IV AA 954-969. A car in front of her pulled over to the side, and she passed it. The vehicle began driving behind her very closely, with its brights on. Concerned, she decided to drive past her parents’ house because she did not want the vehicle following her home. *Id.* Mazza was scared. *Id.* The vehicle continued to follow her throughout the neighborhood. *Id.* Finally, she decided to drive to her parents’ house, and hurried inside. *Id.* Mazza looked out the window and saw someone taking pictures of her car. *Id.*

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Cameron's daughter, Aspen, testified that she recalled an evening when she and her father were driving on Zolezzi when a vehicle was tailgating them. IV AA 982-987. She recalled that Cameron pulled over, and then began to follow the vehicle into a cul-de-sac. *Id.* Cameron exited the vehicle and got close to the teenage occupants, "yelling at them, and just being really loud and aggressive with them." *Id.* She was scared and embarrassed. Eventually, Cameron got back in the car and drove home. *Id.*

At trial, Cameron changed his story, and his testimony contrasted sharply with his police interview. He stated that on the night of the murder, he went to Murrieta's restaurant. V AA 1151-1164. He claimed that he observed a truck and motorcycle. *Id.* The motorcycle attempted to go around the truck, and the truck almost hit the motorcycle. *Id.* Cameron maintained that he decided to follow the truck into a cul-de-sac, believing the driver might be intoxicated. *Id.* He also claimed that he stopped to ask the driver if he was all right. *Id.* Cameron further testified that the driver answered, "Yeah, I'm okay. Why the fuck are you following me?" *Id.* He claimed that he responded, "Why are you trying to kill people?" *Id.* Cameron stated that "some words went on," and that the driver stated, "I will kill you, motherfucker" and called Cameron a "panty-wearing motherfucker." *Id.* He claimed that the driver "flinched" and raised his

hand up. *Id.* Cameron claimed that he thought the driver had a gun in his hand, and that he decided to reach under his seat for his gun and took the time to load it. *Id.* He further testified that he was scared, and that when he suggested “let’s just call it a night”, the driver responded with epithets. *Id.* Cameron claimed that he told the driver to “relax” and that “I have a gun, too.” *Id.* According to Cameron, the driver began to drive toward him “like he was going to kill me with his vehicle.” *Id.* He claimed he fired his weapon at that point, and the truck “took off.” *Id.*

Cameron also disputed the nature of his phone conversation with Colarchik, saying that he never said, “I hate it that I know the law,” or admitted he was angry. *Id.*, 1168. He admitted that he never told police this version of the incident during the interview and had lied to the police several times during the investigation. *Id.*, 1171-1178. He also admitted that he lied to his friend, Detective Greg Herrera of the Washoe County Sheriff’s Office. *Id.* He admitted to following Leah Mazza to her home, but said it was because she “bumped” his vehicle from behind. *Id.* Cameron also acknowledged the incident described by his daughter Aspen, wherein he followed a group of teenagers home for tailgating him, and raised his voice at them. *Id.*

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On cross-examination, Cameron admitted that it had taken him 30 minutes to testify to the events leading up to the shooting, and that he did not provide any of the same information to detectives during an 8-hour police interview. *Id.*, 1179-1233. He conceded that he first decided to follow Faust because he believed he was a teenage driver. *Id.* He admitted that he shot Faust with a .40-caliber weapon he had purchased, and that he lied to the police about owning the weapon. *Id.* Cameron testified that he was “doing a public service” by following Faust that night and that he lied to police when he stated he did not get a gun from his car. *Id.* He also conceded that during the police interview, he asked for “one my buddies, you know, Balaam” referring to the Washoe County Sheriff. *Id.* He further admitted that he asked his friend, Detective Greg Herrera, also from the Washoe County Sheriff’s Office, for advice during the interview, and that Herrera told him not to lie. *Id.* He disagreed that he told his friend Colarchik, “I hate that I know the law,” but conceded that he also told police that Colarchik was a trustworthy person. *Id.* He admitted that he threw the murder weapon in a trash can, but that he did not recall where. *Id.*

A .40 caliber bullet was found in the body of Faust and submitted for testing. V AA 1059-1060. The .40 caliber casing found at the murder scene was found to be fired from the same gun as the two .40 caliber casings

found in Cameron's vehicle and matched the bullet recovered from the victim's body. V AA 1097-1103. The State's firearms expert determined that the bullet and casings were consistent with five models of Smith & Wesson firearms. *Id.* Additionally, a 9mm fired cartridge found in Cameron's vehicle and was compared to a 9mm Glock pistol found in his room. It was determined to have been fired from the Glock. *Id.* The murder weapon was never found.

The medical examiner testified that the bullet's trajectory went slightly downward, supporting an inference that Cameron reached up into Faust's raised truck before he fired. V AA 1118-1120. The expert further testified that the absence of soot around the entrance wound did not support a conclusion that the gun was actually pressed against Faust's skin when Cameron fired it. The expert also explained that gunpowder stippling on Faust's skin indicated that the gun was "a little further back" than touching the skin when it fired. *Id.*

III. ARGUMENT

A. Cameron's Own Version of the Facts Supports a First-Degree Murder Verdict Based Upon Premeditation and Deliberation.

The State first observes that many of Cameron's factual claims in the Supplemental Brief are incredible and contradicted by the evidence. For example, Cameron claimed that he exchanged words with the victim just

before he shot him. But when Jarrod Faust's body was found, country music was playing on the victim's radio. II AA 259-292. Cameron also testified at trial that he shot blindly as the victim's truck was purportedly driving straight at him. But this claim is squarely contradicted by eyewitness testimony and physical evidence. Just before they observed Cameron speed off, neighbors saw the two vehicles positioned side by side. II AA 330-348. This is consistent with Cameron's statement during his police interview that the cars were positioned side by side, driver's side to driver's side. IV AA 834. When Faust's body was found, his foot was near the brake pedal, as if it had just slipped off. II AA 259-292. The driver's side window of Faust's vehicle was down, and the doors were locked. *Id.*

Cameron's trial testimony was that he stayed in his car the entire encounter, and just happened to shoot at the victim in the face, through the driver's side window. But that is not what Cameron told his best friend the night of the murder. Instead, he told his friend Colarchik, "I think I just shot someone." III AA 551. Shocked, Colarchik asked him why. Cameron did not tell his best friend that he was afraid for his own life, or that Faust's vehicle was driving straight at him, as he would later claim. Instead, when asked why he shot the victim, Cameron simply replied, "I hate when people make me mad. I don't know why I get so angry." *Id.*, 551. This statement

directly contradicted his later statement to police that there was no rage on his part. IV AA 847.

Cameron did not tell Colarchik that Faust's vehicle was driving straight at him, and that he shot from inside his own vehicle, as he would later claim. Instead, he told his best friend, "I'm the one that got out of the car and who went up to him." III AA 548-560. But in his police interview, when asked what caused him to get the gun from his car, Cameron stared at the detective, paused, and stated, "I didn't get a gun from my car." IV AA 835. He told police he followed Faust's truck because he thought "something bad was going to happen," not that he had observed Faust's vehicle hit a motorcyclist. *Id.*, 837. Later, when asked again why he decided to follow the truck, Cameron stated, "Because I'm stupid." *Id.*, 838. He denied shooting Faust at all. *Id.*, 843.

All of this evidence would lead any reasonable juror to conclude that Cameron's true motivation was anger—not because he was afraid of Faust, or because Faust tried to hit him with his vehicle. Additionally, Cameron's prior statements to police and Colarchik made the story he concocted for trial utterly incredible.

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B. Cameron Concedes That His Challenge Was to the Sufficiency of the Evidence.

Cameron continues to argue that the conviction should be reversed because there was insufficient evidence that the crime of burglary occurred. Appellant's Supplemental Brief, 4. The repetition of this argument is telling, and underscores Cameron's initial argument, which challenged the sufficiency of the evidence, and not the State's alternative entry theory for burglary proffered during its closing argument.

C. Entry By Bullet Does Not Violate the Rule of Lenity.

Additionally, Cameron argues that allowing the State to argue bullet-entry for purposes of burglary would violate the rule of lenity, and that approval of such a theory would cause a burglary to occur every time a person fires a gun into a structure—though he admits that he “mistakenly did not make that specific argument.” *Id.*, 6. The State reiterates that the portion of its closing argument at issue here did advocate for an interpretation of Nevada's burglary statute that would render merely firing a bullet into a structure a burglary. The prosecutor's argument was that the bullet crossing the threshold over the car window satisfied the entry element. VI AA 1364-1365.

NRS 202.285 does not require the same mens rea as NRS 205.060. NRS 202.285 requires only that the person discharging the firearm into a

structure does so “willfully and maliciously.” NRS 202.285 (1). The version of NRS 205.060 applicable to this case required that to prove burglary, the State must demonstrate the defendant had the specific intent to commit larceny, assault, battery, any felony, or obtaining money by false pretenses at the time of entry. The State’s bullet-entry theory would thus not render any portion of NRS 202.285 nugatory.

D. Cameron’s Self-Defense Arguments Are Unavailing.

Cameron also asserts that the panel’s dissenting justice conflated “intent to scare” with “intent to intimidate.” He argues that such an intent cannot “co-exist” with an intent to act in self-defense, and that the dissent “lept to the conclusion” that he intended to act in imperfect self-defense. Black’s Law Dictionary defines “intimidate” as unlawful coercion, extortion, duress, or putting in fear. Black’s Law Dictionary (6th ed. 1979). The State does not share Cameron’s view that the words “intimidate” and “scare” have materially different meanings for purposes of this Court’s evaluation.

In any event, the self-defense instruction given to the jury was consistent with *Runion v. State*, 116 Nev. 1041, 13 P.3d 52 (2000). VI AA 1483. The jury’s guilty verdict evinces its rejection of Cameron’s claim of self-defense, regardless of Cameron’s theory. According to the properly worded instruction, self-defense would have been a defense to either felony

murder (regardless of bullet-entry or hand-and-gun entry) or premeditated murder. Moreover, a claim of self-defense, where Cameron admitted to arming himself with a gun before approaching the victim's vehicle, is an admission that he killed the victim based upon a premeditated and deliberate decision. It is an admission that he assessed the facts, possibly as quickly as successive thoughts of the mind, and concluded that the use of deadly force was necessary to save his own life. *Byford v. State*, 116 Nev. 215, 237, 994 P.2d 700 (2000). The jury's verdict means it rejected this claim, either because it was incredible, or because Cameron's deliberate calculation was unreasonable. This rejection militated the jury's conclusion that the killing was an unjustified, deliberate and premeditated killing, particularly since Nevada rejects "imperfect" self-defense. *State v. Contreras*, 118 Nev. 332, 46 P.3d 661 (2002).

Cameron also erroneously suggests that self-defense is consistent with voluntary manslaughter, and that a voluntary manslaughter verdict may be reached based on a failed self-defense theory. But the self-defense instruction given to the jury correctly stated that self-defense requires that the defendant "actually and reasonably believed" that he was in imminent danger and that defending himself was necessary. In other words, Cameron argued that he had to use deadly force to avoid being killed.

Because his self-defense theory was rejected by the jury, his argument that the jurors could have reasonably reached a verdict on a lesser homicide charge fails.

E. Cameron's Abandonment of the Bullet Entry Issue Requires this Court to Review for Sufficiency of the Evidence.

If this Court rejects its authorities and argument regarding bullet-entry, and finds instructional error did occur, it should apply the sufficiency of the evidence standard contemplated by *Rhyne v. State*, 118 Nev. 1, 38 P.3d 163 (2002), and *Gordon v. State*, 121 Nev. 504 (2005). In his supplemental brief, Cameron concedes that he did not assert the bullet-entry argument on appeal. ASB, 17. He notes, correctly, that this Court has long held that it will affirm a district court's decision when it reaches the right result, even when it does so for the wrong reason. *In re Amerco Derivative Litigation*, 127 Nev. 196, 252 P.3d 681 (2011). But this Court should reject Cameron's assertion that this body of case law may be properly extended to a party who abandons an issue on appeal. To rule otherwise would require this Court to consider every issue preserved by objection at the trial level, but not advanced on appeal. That would be practically impossible and contrary to judicial economy and fundamental fairness.

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F. This Court Should Decline Cameron’s Invitation to Overrule Rhyne and Gordon.

Cameron contends that *Rhyne* and *Gordon* should be overruled as inconsistent with federal law based on *Chapman v. California*, 386 U.S. 18 (1967). ASB, 9-10. Yet in *Gordon*, the Nevada Supreme Court explained that it relied on United States Supreme Court decisions holding that a jury may return a general verdict charging alternative theories, even if one of the possible bases of conviction is not supported by sufficient evidence. *Id.* It further explained that if the alternative theories themselves are legally sufficient, a verdict will be upheld even if one of the theories is not supported by the evidence. *Id.*, citing *Rhyne*, *supra*; *Turner v. United States*, 396 U.S. 398, 90 S. Ct. 642 (1970). Moreover, this argument is dependent on this Court’s acceptance of Cameron’s flawed proposition that even though he challenged the sufficiency of the evidence regarding burglary, did not argue *Stromberg* error, and abandoned the bullet-entry issue on appeal, this Court must still consider it, as discussed in section F above. This Court should thus decline Cameron’s invitation to overrule *Rhyne* and *Gordon*.

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G. Even if This Court Rejects Bullet-Entry in the Context of Burglary, it is Clear Beyond a Reasonable Doubt that a Rational Jury Would Have Found the Defendant Guilty Absent Constructive Instructional Error.

If this Court rejects the State's position that the appropriate inquiry is whether the jury's verdict was supported by sufficient evidence, and applies harmless error review, Cameron's conviction should still be affirmed.

Cameron killed Faust in a willful, premeditated, and deliberated manner.

He took the time to chase Faust into a cul-de-sac. III AA 600. After angrily chasing the victim down, by his own admission, Cameron, who had an established history of conducting himself as a traffic vigilante, took the time to retrieve his weapon and load it. V AA 1151-1164. The evidence showed that after chasing Faust into a cul-de-sac, Cameron got out of the car and shot Faust in the face at close range. The medical examiner testified that the bullet's trajectory went slightly downward, supporting an inference that Cameron reached up into Faust's raised truck before he fired. V AA 1118-1120. The expert further testified that the absence of soot around the entrance wound did not support a conclusion that the gun was actually pressed against Faust's skin when Cameron fired it. The expert also explained that gunpowder stippling on Faust's skin indicated that the gun was "a little further back" than touching the skin when it fired. *Id.* When Faust was found, his seatbelt was still on, the engine was running, and the

doors were locked. He was unarmed. He presented no threat to Cameron's safety. II AA 259-292.

Cameron lied to police and hid the murder weapon. He admitted to his best friend that he was "so angry" at Faust that he exited his vehicle, went up to Faust, and shot him. His later story that Faust was driving directly at him contradicted his earlier statements Colarchik and the police, as well as eyewitness observations that the vehicles were side by side just before Cameron sped off. The undisputed facts established that Cameron had time and opportunity "to think upon or consider the act, and then determine to do it." *Curtis v. State*, 93 Nev. 504, 507, 568 P.2d 583, 585 (1977) (quoting *Payne v. State*, 81 Nev. 503, 509, 406 P.2d 922, 925-26 (1965)). Besides Cameron's admissions to Colarchik, the jury also had other evidence of motive. Cameron made a habit of chasing vehicles down that annoyed him, even according to his own daughter. While the previous targets of Cameron's "public service" traffic regulation were frightened by him, according to Cameron, Faust was less willing to receive driving feedback from the traffic vigilante that followed him home that night.

Cameron lied about possessing the murder weapon, which was further evidence that he knew he was guilty of murder. He hid the gun and bragged to his friend that the police would never find it. Cameron, who

bragged repeatedly about his law enforcement contacts—even during his police interview—regarded himself as above the law. The jury’s verdict reflected that it found Cameron’s testimony and self-defense theory incredible. And by proffering that rejected self-defense theory, Cameron acknowledged that he intended to kill the victim. His own admissions to Colarchik that he shot Faust in anger, and later statements that he made the decision to shoot the victim after taking the time to retrieve his firearm and load it established premeditation, deliberation, and malice. Beyond a reasonable doubt, these facts establish that any rational jury would conclude that Cameron is guilty of first-degree murder.

IV. CONCLUSION

The State respectfully submits that whether the Court reviews this case for sufficiency of the evidence, or for harmless error, the conviction should be affirmed.

DATED: February 15, 2023.

CHRISTOPHER J. HICKS
DISTRICT ATTORNEY

By: JENNIFER P. NOBLE
Chief Appellate Deputy

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 Georgia 14.

2. I further certify that this brief complies with the page limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(c), it 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

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the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

DATED: February 15, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that this document was filed electronically with the Nevada Supreme Court on February 15, 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

Richard F. Cornell, Esq.

/s/ Destinee Johnson
DESTINEE JOHNSON