

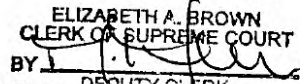
IN THE SUPREME COURT OF THE STATE OF NEVADA

WAYNE MICHAEL CAMERON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83531

FILED

MAR 09 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER INVITING AMICUS CURIAE PARTICIPATION

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of murder with the use of a deadly weapon. This court has determined that briefing by amicus curiae may be helpful to this court's consideration and resolution of this appeal. Therefore, the Nevada Attorneys for Criminal Justice (NACJ) and the Nevada District Attorneys Association (NDAA) are invited to participate as amicus curiae in this proceeding and to file a brief addressing the following issues:

1. Can shooting a bullet into a vehicle, without the shooter's hand or the gun held in his hand crossing the plane of the vehicle, constitute an "entry" under NRS 193.0145 and thus be a basis for finding burglary?
2. What is the appropriate theory and standard of review regarding any error that occurred when the district court overruled Cameron's objection to the prosecutor's presentation of the bullet entry theory of burglary during closing argument? Is the matter appropriately analyzed under *Cortinas v. State*, 124 Nev. 1013, 195 P.3d 315 (2008), *Nay v. State*, 123 Nev. 326, 167 P.3d 430 (2007), or *Hedgpeth v. Pulido*, 555 U.S. 57 (2008), under *Gordon v. State*, 121 Nev. 504, 117 P.3d 214 (2005) or

Rhyne v. State, 118 Nev. 1, 38 P.3d 163 (2002), or under some other standard?

3. How do the different standards of review and harmful/prejudicial error apply to this case in light of the State's alternative theories of first-degree and felony murder, including multiple theories of liability under the felony murder designation?

4. Did Cameron sufficiently raise any error with the bullet entry theory of burglary in his appellate briefs to warrant full consideration by this court?

Should the NACJ and NDAA elect to participate as amici curiae, they shall file and serve their briefs within 21 days of the date of this order that shall not exceed 10 pages and shall otherwise comply with the requirements of NRAP 32(a)(4)-(6). No response to the amicus briefs shall be filed unless ordered by this court.

It is so ORDERED.

Stiglich, C.J.
Stiglich

cc: Richard F. Cornell
Attorney General/Carson City
Washoe County District Attorney
Nevada Attorneys for Criminal Justice
Nevada District Attorneys Association