

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAYMOND LARUE JACKSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56531

FILED

SEP 14 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

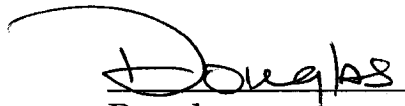
This is an appeal from a judgment of conviction, pursuant to a jury verdict, of six counts of burglary. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

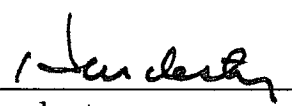
Appellant Raymond Jackson contends that he was deprived of a fair trial because the jury venire panel became “racially unbalanced” once the only two African-Americans were excused for cause. Insofar as Jackson contends that the district court erred by denying his motion to strike the jury venire panel, we disagree. In order to demonstrate a prima facie violation of the Sixth Amendment right to a fair and impartial jury from a fair cross-section of the community, see U.S. Const. amends. VI, XIV, Williams v. State, 121 Nev. 934, 939, 125 P.3d 627, 631 (2005), a defendant bears the burden of proving the underrepresentation of a distinctive group in the community due to systematic exclusion of the group in the jury selection process. Williams, 121 Nev. at 940, 125 P.3d at 631. Jackson did not allege below, and does not assert on appeal, that the representation of African-Americans in the venire panel was unreasonable in relation to its representation in Clark County or that there was any systematic exclusion of African-Americans. Further, Jackson provides no authority in support of his contention that the makeup of the venire panel

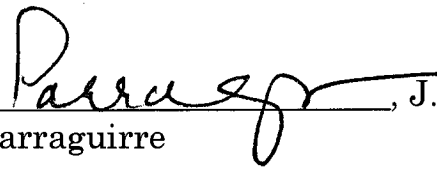
should be examined after jurors are excused for cause, see Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987) (arguments not supported by relevant authority need not be considered by this court), and does not allege that the district court erred by dismissing the African-American venirepersons for cause. We conclude Jackson has failed to demonstrate that the district court erred by denying his motion to strike the venire panel.

Jackson also appears to contend that the district court's excusal of the only two African-Americans on the venire panel improperly deprived him of the opportunity to make Batson challenges to their removal. See Batson v. Kentucky, 476 U.S. 79 (1986). Jackson fails to support this contention with any cogent argument or relevant authority and we decline to address it. See Maresca, 103 Nev. at 673, 748 P.2d at 6.

Having concluded that Jackson is not entitled to relief, we ORDER the judgment of conviction AFFIRMED.


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Kenneth C. Cory, District Judge
Kocka & Bolton
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk