

IN THE SUPREME COURT OF THE STATE OF NEVADA

TRION M. FIELDS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56727

**FILED**

JUL 14 2011

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *H. Andersen*  
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction, pursuant to a jury verdict, of attempted murder with the use of a deadly weapon, assault with the use of a deadly weapon, and carrying a concealed firearm. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

Appellant Trion Fields argues that the district court committed reversible error when it allowed the State to inquire about unrelated felonies with which Fields had been charged just before trial. In response to the prosecutor's inquiry about why, when police first discovered Fields on the scene, he lied about his identity, Fields stated that he was confused because he had never been in trouble before. He later repeated this contention and claimed he had never used a gun. The prosecutor then asked him about unrelated pandering and assault charges, which Fields denied. Upon objection, the district court concluded that Fields had opened the door to this questioning. Under these circumstances, we cannot conclude that the district court abused its discretion in overruling the objection. See NRS 48.045(1); *Jezdik v. State*, 121 Nev. 129, 136, 110 P.3d 1058, 1063 (2005). Also, as to Fields' claim that the district court should have held a hearing to apply the factors

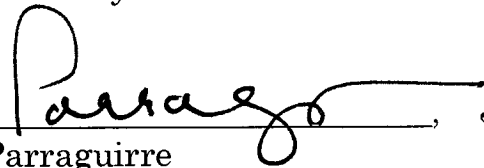
enumerated in Tinch v. State, 113 Nev. 1170, 1176, 946 P.2d 1061, 1064-65 (1997), Fields did not object on this basis and we discern no plain error as the cross-examination is not bad act evidence and is specifically permitted by NRS 48.045(1)(a).

Accordingly, we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Douglas W. Herndon, District Judge  
Marchese Law Office  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk