

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEVIN GEORGE MONFILS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 35887

**FILED**

OCT 02 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a jury verdict, of three counts of assault with the use of a deadly weapon and four counts of discharging a firearm at or into a vehicle. The district court sentenced appellant to a prison term of 24 to 60 months for each count. The district court ordered all terms to run concurrently.

Appellant contends that the district court erred by refusing to give jury instructions for two lesser-related offenses. However, this court recently held that it is not necessary to provide jury instructions on lesser-related offenses. See *Peck v. State*, 116 Nev. \_\_\_, \_\_\_ P.3d \_\_\_ (Adv. Op. No. 90, August 24, 2000) (overruling *Moore v. State*, 105 Nev. 378, 776 P.2d 1235 (1989)). We therefore conclude that the district court did not err by refusing to give the instructions.

Having considered appellant's contention and concluded it is without merit, the judgment of the district court is affirmed.

It is so ORDERED.

Young, J.  
Young

Maupin, J.  
Maupin

Becker, J.  
Becker

cc: Hon. Sally L. Loehrer, District Judge  
Attorney General  
Clark County District Attorney  
Clark County Public Defender  
Clark County Clerk